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# REPORT OF THE OMBUDSMAN OF ONTARIO



## A REPORT ON ADULT CORRECTIONAL INSTITUTIONS



Ontario

Published by the Ministry of Correctional Services







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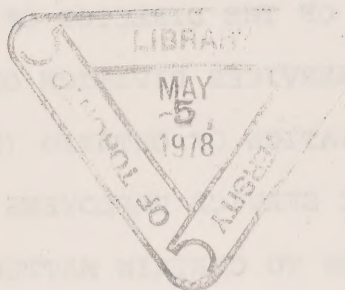


# The Ombudsman | Ontario

REPORT OF THE OPINIONS OF THE OMBUDSMAN AND  
HIS REASONS THEREFOR AND HIS RECOMMENDATIONS  
THERETO IN RELATION TO CERTAIN COMPLAINTS  
FROM INMATES OF PROVINCIAL JAILS AND ADULT  
CORRECTIONAL INSTITUTIONS AND IN RELATION TO  
THE COMPLAINT OF THE DIRECTOR OF THE  
CORRECTIONAL SERVICES DIVISION OF THE CIVIL  
SERVICE ASSOCIATION OF ONTARIO (NOW THE  
ONTARIO PUBLIC SERVICE EMPLOYEES UNION),  
AND IN RELATION TO CERTAIN MATTERS ON HIS  
OWN MOTION.



REPORT OF THE COMMISSIONER OF THE OMBUDSMAN AND  
HIS REASONED THEREON AND HIS RECOMMENDATIONS  
THERETO IN RELATION TO CERTAIN ALLEGATIONS  
AGAIN IMPACTS OF PROVINCIAL JAILS AND ADULT  
CORRECTIONAL INSTITUTIONS AND IN RELATION TO  
THE COMPLAINANT OF THE OMBUDSMAN  
CORRECTIONAL SERVICES AND THE OMBUDSMAN  
SERVICE ASSOCIATION FROM THE  
ONTARIO PUBLIC SERVICE  
AND IN RELATION TO THE OMBUDSMAN  
OWN ACTION





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C H A P T E R I

INTRODUCTION





## I N T R O D U C T I O N

Although I did not formally assume my duties as Ombudsman until the occasion of my swearing-in on October 30, 1975, more than 100 letters of complaint had already been received from inmates of Ontario's many jails, detention centres and adult correctional institutions by that date.

The complaints touched on every aspect of institutional life and, because of their numbers, I had decided by that time that it would be necessary to establish within the Office of the Ombudsman a special directorate to deal with certain unique grievances, including those of inmates.

One day after my official swearing-in, Mr. Victor Cooper, then Director of the Correctional Services Division, Civil Service Association of Ontario (now the Ontario Public Service Employees Union), held a news conference and made a lengthy statement concerning the Ontario correctional system.

He alleged, among other things, that the system bordered on being inhuman to both inmates and correctional staff, that it posed a threat to the lives and property of Ontario's citizens and that the lives of Correctional Officers were in danger.

He ended his statement by saying that, "... there is a constant danger that a major riot will occur at almost any institution at almost any time."

While the full text is included in Appendix "A" of this report, the following are some extracts from Mr. Cooper's statement:

"Ontario's correctional system is ready to burst at the seams because the facilities currently in use have nowhere close to the capacity necessary to house the inmates being sent to the system from the courts....

"Most jails in Ontario have seen the doubling up of beds in their cell areas, dramatically reducing the living space available for inmates, and nearly all of them have had occasion to sleep inmates on the floor when there were just not enough beds available....

"None of our members feel there is sufficient staff at the institutions to properly perform their required functions and still provide proper security in the institutions and a measure of safety for the correctional officer....

"Money has to be spent updating and maintaining the existing equipment in the correctional system. Situations exist such as that in the Brampton Jail where 50 or more inmates have to be processed through a single shower, and all laundry for these men, including their clothes, bed linen and towels, is handled by a single automatic washer and dryer,

identical to those used in a private home to serve a family of four or five. Nearly all institutions experience chronic shortages of towels, socks, underwear and often bed linen....

"The whole area of classifying inmates has to be cleaned up and made much more strict. Prisoners with past records of violent crimes are not always sent to maximum security facilities. Often they appear at institutions where, in the normal course of that institution's activities, they have access to dangerous weapons. Through the same classification system, such dangerous criminals are often housed with prisoners who have only a minor criminal record....the cumulative effect of all the deficiencies we have pointed out, is to make Ontario's correctional institutions bad places in which to work or live. Inmates and the correctional staff of these institutions are constantly uptight because of these conditions and this constant tension breeds the violent incidents which gain so much publicity.

"The entire system has to be cleaned up quickly because there is a constant danger that a major riot will occur at almost any institution at almost any time."

On November 2, 1975, I issued the following statement:

"I have been informed about the resolution adopted at the annual meeting of the Civil Service Association of Ontario, relating to the alleged state of affairs in the province's correctional system, and I have read the statement, attributed to Mr. Vic Cooper, the Director of the Correctional Services Division of the C.S.A.O., to the effect that a major riot might occur at almost any institution, at almost any time.

"I note Mr. Cooper's comments on the alleged 'inhumane' treatment of inmates, his concern about the possible threat to the lives and property of our citizens, and the possible danger to the lives of correctional officers.

"Under the powers conferred upon me by Section 15 of The Ombudsman Act - whereby I may investigate matters of this nature on my own motion - I have directed that an investigation into the statements and charges should begin immediately.

"The Legal Officer of the Office of the Ombudsman, Mr. Keith Hoilett, will confer as quickly as possible with Mr. Vic Cooper and any other official of the Civil Service Association who might be able to cast light on the matter, and I have also asked Mr. Hoilett to meet with the Deputy Minister of Correctional Services and his aides.

"When I receive a report from Mr. Hoilett resulting from those meetings, I will be making a further statement as to the nature of the investigation that will be conducted, and the form it will assume."

Section 15 of The Ombudsman Act, 1975 reads, in part, as follows:

- 15 (a) The function of the Ombudsman is to investigate any decision or recommendation made or any act done or omitted in the course of the administration of a governmental organization and affecting any person or body of persons in his or its personal capacity.
- 15 (b) The Ombudsman may make any such investigation on a complaint made to him by any person affected or by any member of the assembly to whom a complaint is made by any person affected, or of his own motion.

[Emphasis added.]

It is necessary to examine the background in which my statement was issued.

Prior to my being sworn in as Ombudsman on October 30, 1975, I had already received - as already noted - more than 100 written complaints from inmates of jails and correctional centres located throughout the province.

The allegations presented in these complaints concerned virtually every aspect of incarceration. There were complaints about physical facilities, fears for personal safety, overcrowding, and improper classification to various institutions. Some inmates complained about correctional officers, the quality and quantity of food, and alleged inadequate medical, dental and counselling services.

I also received a large number of inquiries requesting clarification of the legal status and rights of inmates, as well as requests for information about the role and function of the Office of the Ombudsman.

(I should point out that the Ministry of Correctional Services is responsible for all persons sentenced to a term of imprisonment up to and including terms of two years less one day. Those persons sentenced to terms of two years or more are the responsibility of the Federal Canadian Penitentiary Service.)

Unlike most other complainants, inmates could not personally visit our office or attend any of our province-wide public and private hearings, and we were thus faced with the task of sending representatives from our office to investigate each of the inmate complaints.

This task, which initially involved arranging for visits to almost every jail, correctional centre and detention centre across the province, was already in progress when Mr. Cooper's allegations were aired.



However, the time required to complete in-depth visits to each institution - not only to investigate individual complaints but also to inform inmates of their access to a special directorate within the Office of the Ombudsman - was rapidly becoming a matter of concern in view of the fact that I was still in the process of recruiting staff.

It became obvious to me that some type of omnibus inquiry was necessary.

At that time, I recalled the advice given by members of the Legislature during debate on The Ombudsman Act, advice which suggested that the Office of the Ombudsman should be prepared to proceed innovatively when necessary. Given the fact that the office had more than 100 individual complaints on hand, I concluded that an immediate visit to almost every jail, detention centre and correctional institution was called for.

The Investigators from the office were instructed that during their visits they were to:

- (1) process the complaints and information requests already received from inmates;
- (2) explain the role and function of the Office of the Ombudsman to both inmates and staff and inform them of the Directorate of Institutional and Special Services which was to be established on December 1, 1975; and
- (3) gather detailed information from each institution about its operations, inmate and staff composition and the like, which would be invaluable background material for the new Directorate.

The urgency expressed in Mr. Cooper's statement of October 31, 1975, and the subsequent wide media coverage given his allegations, had the effect of advancing my plans for the above-mentioned visits to detention and correctional facilities.

My study of the role and function of Ombudsman operations in other jurisdictions throughout the world had convinced me that such an office plays a valuable preventative role in connection with conflicts between citizens and governments, and it further convinced me that this preventative role is especially true regarding conflicts arising in detention and correctional settings.

The scope and gravity of the allegations made by the C.S.A.O. spokesman, therefore, left me with but one alternative, which was to announce my intention to immediately involve the Office of the Ombudsman in the matter in hopes of defusing an apparently explosive situation. Accordingly, I made the statement of November, 2, 1975.

On November 4, 1975, Mr. Keith Hoilett, Legal Officer and Special Assistant to the Ombudsman, met with Mr. Glenn Thompson, Deputy Minister of Correctional Services. On



November 5, 1975, he met with Mr. Cooper, Mr. James Spence, Senior Correctional Services Representative, and Mr. G. G. Norman, General Manager of the C.S.A.O.

On November 7, 1975, I met with the then Minister of Correctional Services, The Honourable John Smith, and Mr. Glenn Thompson for further discussions.

(I should point out that without the excellent co-operation of Mr. Thompson and his senior officials, this report would not have been as comprehensive as it is.

(In addition, the Minister's remarks to the Legislature and to members of the news media helped to ensure that Investigators from this officer were given, from the very beginning, the frank and candid opinions of all those involved in Ontario's correctional system. On November 3, 1975, the Minister told the Legislature, "... I welcome full co-operation with the Ombudsman," and, commenting on the Ombudsman's inquiry, he told reporters later on that day, "I feel that only good can come of it.")

As a result of these meetings, I decided to send members of the office's staff on a three-day survey to visit a number of institutions recommended to me by both C.S.A.O. and Ministry officials. My senior staff and I felt that such an intensive series of visits would provide the Office of the Ombudsman with a detailed preliminary assessment of the mood within correctional facilities, and would allow us to decide what further action, if any, was required.

Before sending any staff to the institutions, however, we decided that special briefings for those involved in the project should be provided. Therefore, on November 10, 1975, a meeting was held at the Office of the Ombudsman between the Deputy Minister of Correctional Services and senior Ministry staff members and members of the Ombudsman's staff. Additional meetings were held on the following three days at which time members of our staff who were to take part in the three-day visits had discussions with the Chief Provincial Bailiff, Mr. George Simpson, as well as with Mr. Frank Murphy, then Executive Assistant to the Executive Director of the Ministry's Adult Division, and Mr. Donald Kerr, Director of Information Services, and members of his staff.

In addition, our staff members were given a special screening of films depicting life in Ontario's correctional facilities.

As these preparations were underway, I also had an opportunity to appear before the Select Committee on Guidelines for the Ombudsman on November 13, 1975, at which time I outlined to the members the reasons for my proceeding under section 15 of The Ombudsman Act.

During that appearance, I said, in part,

"As I debated my decision to assume my present responsibility one of the features of the legislation that appealed to

me most and really accounted for my decision was the provision set out in section 15(2) which provided me with the opportunity to become involved in problem areas hopefully before they matured and either produced great numbers of complaints or something even worse. As I see it, the power conferred on the Ombudsman to make investigations of his own motion should be utilized in a fashion which will have the effect of diminishing the incidence of complaints... "Thus when I pick up the newspaper and read that certain responsible representatives of a respected body such as the C.S.A.O. are saying that riots are imminent in correctional facilities throughout the province, that conditions are inhumane, overcrowded and totally lacking in discipline and when I have been given the power conferred upon me by section 15(2) and having some knowledge of the type of problems these institutions might present, it seems to me that I would be derelict in my duty if I were not to initiate whatever action is open to me at least to ascertain the precise nature of the situation...

"Further what I should point out and perhaps something on which I did not place sufficient emphasis, we are in receipt of complaints from approximately 75 to 100 inmates of provincial penal institutions concerning grievances that relate to overcrowding, sanitation, problems of segregation, lack of privacy, etc. It would be grossly inefficient if the Ombudsman were to initiate 75 separate investigations and would be much more costly than the sort of inquiry I announced would be undertaken. The results of the inquiry that is under way might tend to diminish the incidence of such complaints in the future."

The Office of the Ombudsman's three-day survey took place on November 14, 15, and 16, 1975 and was conducted by 14 full-time staff members as well as six additional Investigators who were contracted on a temporary basis to assist in the operation.

During the weekend of November 14-16, 1975, our Investigators visited the following institutions:

JAILS

Barrie  
Brampton  
Guelph  
Hamilton  
Kenora  
Kitchener  
London  
Milton  
Peterborough  
Sault Ste. Marie  
Sudbury  
Toronto  
Thunder Bay  
Whitby

FORESTRY CAMPS

Hillsdale  
Hendrie

ADULT TRAINING CENTRES  
AND CORRECTIONAL CENTRES

Burtch  
Camp Bison (Burwash)  
Guelph  
Maplehurst  
Millbrook  
Mimico  
Rideau  
Thunder Bay  
Vanier Centre for Women

DETENTION CENTRES

Niagara  
Quinte  
Ottawa-Carleton

CLINICS

G.A.T.U. (Guelph)  
O.C.I. (Brampton)

Included in our sample was virtually every institution from which we had received an individual inmate complaint as well as those suggested to us by C.S.A.O. and Ministry representatives and those specifically named in the C.S.A.O. statement of October 31, 1975. \*

To ensure a well coordinated investigative effort, the following memorandum was sent to each of the designated institutions informing both staff and inmates of the date and main purpose of the visit.

---

\* Although some jails, for example Brampton, London, and most recently, Toronto, closed during the course of our gathering information for this report, we have included our findings because (a) the institutions were in operation during our study and were the subject of complaints, (b) the problems uncovered in these institutions were similar to those found in other facilities and their inclusion in the report will hopefully help to avoid such problems occurring in the future, and (c) the fact that these facilities have been closed illustrates that advances are being made in efforts to replace outdated and cramped institutions.



"MEMORANDUM FROM OMBUDSMAN

On Friday, November 14, Saturday, November 15th and Sunday, November 16th, members of the staff of the Office of the Ombudsman for Ontario will be visiting various provincial correctional institutions, detention centres and jails for the purpose of meeting all levels of the institutional population.

These will include:

- inmate committees where applicable and inmates;
- correctional officers and their representatives, including union representatives;
- other professional staff members, including social workers, psychologists, etc.;
- senior staff members and their representatives.

The representatives from the Office of the Ombudsman will explain the role and function of this new office; as to how it may affect provincial correctional facilities; and inform inmates and staff of the creation of the Directorate of Institutional and Special Services within the Office of the Ombudsman. On December 1, 1975, Ellen Adams will assume this position and accept responsibility for the coordination of all requests, complaints, and grievances to the Office of the Ombudsman from both staff and inmates. During this visit, the Ombudsman staff will invite suggestions as to how our office might best serve the interests of both those detained and those working within Ontario's correctional facilities and also how our office might become most accessible to them. My representatives look forward to meeting you.

Arthur Maloney,  
Ombudsman, Ontario  
November 12, 1975."

The Superintendent of each designated institution was sent a questionnaire to be completed for presentation upon the arrival of Ombudsman staff members at that institution.

While the full text is included in Appendix "B", the questionnaire was intended to provide Ombudsman Investigators with information regarding institutional overcrowding, use of segregation, inmate activities, staffing level, inmate complaints and other aspects of institutional life.

Each member of the Ombudsman's staff taking part in this project was thoroughly briefed regarding the background and purpose of the weekend survey, and each was provided with an information kit which included the text of the

C.S.A.O. statement as well as information booklets provided by the Ministry describing the operation of adult institutions in Ontario. Our staff members were instructed to assimilate the information provided before their arrival at the institutions assigned to them, and they were also given copies of The Ombudsman Act for distribution.

Our staff members were instructed that they were to interview the following institutional personnel, where available, at each facility visited: the Superintendent or his assistant, C.S.A.O. representatives, professional staff such as psychologists, social workers, doctors and nurses, and front-line correctional officers.

Where an inmate committee existed, representatives of such a committee were to be interviewed, as well as individual inmates who had forwarded complaints to our office or who wished to speak to our representatives in private. As many of the other inmates as possible were to be interviewed in informal manageable groups, and those in segregation or hospital units were also to be contacted.

Our Investigators were provided with a suggested questioning guideline to be used when interviewing various institutional segments, and these guidelines were intended to gather a full range of perceptions and observations of the men and women who work in and are incarcerated in Ontario's institutions.

The full text of this guideline is included in Appendix "C".

Our investigative team members were also supplied with a three-page guide for their use when addressing groups of inmates about the role and function of the Office of the Ombudsman.

Using the guide, our Investigators explained the powers of the Office of the Ombudsman and specifically emphasized the fact that letters sent by inmates to the Office of the Ombudsman were not to be opened or censored by Ministry officials.

At the same time, our office's representatives outlined the role of the Directorate of Institutional and Special Services, which was to handle complaints from inmates in Ontario's jails, detention centres and correctional centres, and we assured the inmates that anything said or sent to our office would be handled in strict confidence and would enjoy the protection available under The Canada Evidence Act.

This point was brought up to ensure that the inmates were aware that they had nothing to fear by speaking or writing to us as freely as possible about their problems.

We also brought to their attention the fact that the Office of the Ombudsman could make recommendations only and did not have the power to change decisions, whether they were made by the courts, the Ministry, or other bodies. For example, we pointed out that the office did not have the power to overturn parole decisions and revocations or Temporary Absence Program denials.

In closing, we reminded the inmates that we were established to act as an impartial body and that we had a duty, in the case of the Ministry of Correctional Services, as with all Ontario Government ministries, boards or agencies, to look at both sides of any complaint to ensure that government personnel were given the opportunity to present their case as fully as possible.

Specifically, we told the inmates that while we were prepared to investigate their complaints, it was equally important that the Office of the Ombudsman protect custodial staff against unjust charges and allegations.

The questioning guides and suggested remarks were intended to serve as a kind of common denominator for the collection of information during the visits, but our Investigators were not restricted to issues raised in the material provided. In many cases, their professional backgrounds equipped them to range beyond the suggested topics, all of which were designed to collect information not only on the custodial aspects of particular institutions, but also on the rehabilitative efforts being pursued.

In addition to conducting interviews, each investigative team was instructed to tour and report on the physical facilities in each institution visited. Specifically, they were to inspect:

- (1) the dormitory and cell areas;
- (2) the segregation cells;
- (3) the recreational supplies and facilities;
- (4) the shower and washroom areas;
- (5) the work and program facilities;
- (6) the visiting area;
- (7) the dining facilities; and
- (8) the medical, dental, psychiatric and counselling areas.

I am pleased to report that the November, 1975, survey proceeded smoothly, and I would like to take this opportunity to express my appreciation to the staffs and inmates in each of the institutions our staff members visited for their cooperation.

During the visits, our investigative teams spoke with 88 Superintendents and senior staff members, 61 professional personnel, 94 C.S.A.O. representatives, 171 correctional officers, and about 1,600 inmates (both individually and in groups). In addition, 11 senior Ministry officials were contacted for operational information shortly after the visits.

I cannot sufficiently stress the tremendous help we received by being able to talk with such a large group of inmates incarcerated in minimum, medium and maximum-security institutions located across the province.

In my view, the fact that so many inmates were able to speak freely to Ombudsman Investigators - having regard to the confidentiality of most discussions and the privileges



afforded complainants and others under The Ombudsman Act - helped to provide direct and valuable information about the provincial correctional system. Because the inmates knew that they had no reason to fear reprisals or any type of punishment because of their speaking with Ombudsman representatives, they fully and frankly aired their grievances and contributed, in my opinion, to our greater understanding of the problems they faced.

The men and women we spoke with were charged with or had been convicted of crimes ranging from failing to pay a parking ticket to murder, and our investigative teams reported that less than 1 in 20 of them were aware of the role and function of the Office of the Ombudsman before our visit. Many inmates did not even know that an Ombudsman existed.

I was gratified to learn that when the existence, role and function of the Ombudsman was explained to the inmates, they responded positively to the knowledge that an impartial channel had been established to which they could, if necessary, bring their grievances.

Of course, it was also of immense advantage for our staff members to meet with and discuss correctional matters with a large number of correctional officers, professional staff and senior institutional personnel.

Once our teams returned from the institutions visited, our next task was to de-brief them and collect the relevant information. We conducted a series of in-depth meetings between November 17th and December 1, 1975, during which each institution visited was thoroughly discussed. Each staff member presented his observations under six headings -- chosen because they corresponded to the major allegations in the C.S.A.O. statement of October 31, 1975. The six headings were:

- (1) Overcrowding, if any;
- (2) Understaffing, if any;
- (3) Lack of equipment, if any;
- (4) Inadequate security precautions, if any;
- (5) General deterioration or downgrading of discipline, if any;
- (6) Probability of riot, if any.

The information collected was then applied in a general sense to the types of custodial facilities visited, and each institution was compared with others in its category.

After a careful consideration of the accumulated information and investigative team comments, I concluded that the danger of impending riots in Ontario's correctional institutions was not of such a degree that it called for immediate action in the form of an exhaustive investigation of the entire correctional system.

I was convinced that breathing time was available to permit us to keep an eye on the institutions during regular

visits to the facilities by Investigators from the Directorate of Institutional and Special Services. Such visits, I felt, would allow us to detect patterns of inmate complaints and would also enable us to gain a long-term insight into the particular problems of individual institutions.

#### UPDATE AND FINALIZATION OF REPORT

Originally, I had intended to present my findings to the Minister of Correctional Services early in 1976. However, at that time the Ombudsman's office was less than a year old and final organizational matters - as well as the handling of thousands of complaints which had poured into the office - demanded virtually all the time and attention my staff and I could expend.

At the same time, Investigators from the Directorate of Institutional and Special Services were continuing to monitor the various correctional facilities across the province and it became increasingly apparent that our observations should be updated with more current information before being presented to the Minister.

In order to ensure that the findings reached as a result of our November, 1975, survey reflected as accurately as possible the conditions in the same institutions several months later, I decided to update my Correctional Institutions Report.

In early October, 1976, Mr. Glenn Thompson, Deputy Minister of Correctional Services was contacted and my intention to update the report was discussed with him. With his full cooperation, the week of October 18, 1976 was set aside for the second survey. (A training school which we had visited during our 1975 visit was deleted from our schedule because we had already embarked on a separate report on the provincial training school system. Also deleted were the three forestry camps we had visited in 1975. The Cornwall Jail was added to the schedule of institutions to be observed because of a particular problem which had arisen there after our November, 1975, institutional visits).

The October, 1976, visits were conducted by members of the Directorate of Institutional and Special Services, Ombudsman personnel who had gained much valuable experience in correctional matters through their daily handling of grievances and their regular visits to provincial institutions.

Prior to our investigative teams revisiting the correctional facilities, a revised questionnaire was sent to the Superintendents involved and a new set of guidelines was prepared for our investigators. (See Appendices "D" and "E".)

As with our first questionnaire and questioning guide, both documents sought to elicit operating data as well as

the perceptions of those involved in the day-to-day functioning of the institutions under study.

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The balance of this report consists of a chapter dealing with provincial jails and detention centres, a chapter dealing with correctional and adult training centres and clinics, and a final section outlining our general conclusions and recommendations.

Each chapter gives detailed information on:

- (i) inmate population;
- (ii) staffing;
- (iii) security; and
- (iv) institutional morale.

The data in these chapters is based on not only on observations and statistics recorded during our two surveys of November, 1975, and October, 1976, but also on the information acquired during the numerous visits made to these institutions to carry out our normal investigative duties concerning inmate and staff grievances from November, 1975 to the summer of 1977. (A summary of the visits is included in Appendix "F".)

The chapters also rely on pertinent data supplied to us either by Ministry officials or through Ministry publications.

Chapter IV attempts to consolidate our general conclusions and recommendations concerning Ontario's correctional system and is based not only on the information contained in Chapters I - III, but also on material assembled from sources outside of our office and the Ministry.

I should point out that this report was never intended to be and is neither a Royal Commission type of document nor an academic research paper.

Instead, it is the result of two years of observations, interviews and complaint-handling carried out by trained Ombudsman personnel who have gained a particular insight into the operations of and problems besetting Ontario's correctional facilities through their day-to-day contacts with and visits to such institutions.

As such, it combines the subjective perceptions of correctional officers, professional staff, administrative personnel, inmates and Ministry Head Office officials with statistical data as well as the knowledge gained by Ombudsman Correctional Investigators.

One final comment should be made.

Although this report concerns itself almost exclusively with institutionally-based corrections, the fact that probation and parole activities are not mentioned should not be read as meaning that the Office of the Ombudsman felt these segments of the Ministry of Correctional Services did not deserve any mention.



On the contrary, I feel that all aspects of community corrections merit the closest attention from the public, the media and government officials in light of the paucity of data which shows the effectiveness of institutionalized inmate rehabilitation.

However, the two incidents which led me to embark on this report - the inmate complaints received at our office and the C.S.A.O. allegations - were grounded in Ontario's correctional facilities and the men and women who work and live there on a daily basis. For those reasons, the report restricts itself, in the main, to institutionalized corrections as opposed to community corrections.

It is my hope that this report, prepared by a diligent, objective and impartial group of professional Ombudsman staff members, will contribute to an understanding and resolution of the major problems confronting the Ministry of Correctional Services.

As well as fulfilling that goal, I am confident that this report - the first of its kind to deal comprehensively with Ontario's jails and correctional facilities - will serve as a foundation for the Office of the Ombudsman's continuing day-to-day involvement in investigating complaints from within the correctional system, a process which seeks to help everyone involved in this aspect of controlling criminal behaviour - inmates, correctional officers, administrators, Ministry officials, the Government, and the public.

C H A P T E R    I I

JAILS AND DETENTION CENTRES





## TORONTO JAIL

### INTRODUCTION

The Toronto Jail was built in two sections. The first, completed in 1862, has an official capacity of 345 male inmates while the second section, completed in 1958, has an official capacity of 216 male and 48 female inmates.

The institution also has a psychiatric unit which has recently been expanded to a total capacity of 36 beds. This unit conducts psychiatric assessments ordered by the courts as well as assessments required by the Ministry for the classification of inmates. The Toronto Jail is served by Gerrard House, a 15-bed (soon to be 18-bed) Community Resource Centre, located just outside the walls of the jail. It is operated for the Ministry by the John Howard Society.

The Ministry's current plans call for the establishment of two additional Community Resource Centres in Toronto - one for males and one for females.

(As this report was nearing completion, the Minister of Correctional Services, the Honourable Frank Drea, announced in the Legislature on November 10, 1977, that the old section of the Toronto Jail would close forever on December 31, 1977.

(The Ombudsman applauds the Minister's bold action and, in light of his findings concerning the Toronto Jail, is pleased that inmates and correctional workers will soon no longer be forced to live and work in such outdated and inhuman surroundings.)

During our visits to the Toronto Jail since 1975, the Superintendent, administrative and correctional staff and inmates all commented on what were, in their view, numerous security problems. Most problems, they felt, were the result of having to deal with hundreds of inmates being accommodated in outdated and overcrowded facilities.

In addition to these sources, our Investigators reviewed the numerous concerns brought forward in the Civil Service Association of Ontario's October, 1975, brief to The Royal Commission on the Toronto Jail and Custodial Services.

(The Commission, under His Honor Judge Barry Shapiro, was appointed by the Government in October, 1974,

"to inquire into, and report upon: -

- (1) recent allegations made by Gary William Stewart Dassy and Jane Charlotte Mannerholm of mistreatment of inmates by the use of unnecessary force and/or physical assaults upon such inmates and, if necessary evidence of similar acts.
- (2) the role and function of the correctional officers at that institution.

- (3) the particular service demands upon the staff of the institution.
- (4) the methods of recruitment, selection, orientation and training of correctional officers at that institution."

(Judge Shapiro's investigation into the Toronto Jail is complete, but his report has not yet been made available. We are confident, however, that his exhaustive investigation into problems at this institution will be of great value and we hope that those interested in the difficulties associated with operating a large, overcrowded metropolitan-area jail will read both his report and the Ombudsman's in order to gain as complete a picture as possible of conditions in the Toronto Jail.)

The Ministry of Correctional Services' Inspection and Standards Branch Report of February 20, 1976, which dealt with the Toronto Jail was also consulted with regard to the Ombudsman's report. The Inspection and Standards Branch had conducted a thorough investigation from January 19-30, 1976.

After reviewing the information from these several sources it became apparent to us that there are two types of security concerns which should be discussed.

The first is the traditional concept of security which is based upon the impregnable fortress from which escape is an impossibility. This type of security utilizes physical barriers, whether they are made of stone, iron bars or barbed wire to hold a convicted or trial-bound inmate population.

The second concept of security rests upon the principle of communication and interaction between inmates and staff, with the primary intent to alter the negative or deviant behaviour which was the reason for the inmate being confined. This type of security contains elements of fairness, firmness and honesty and rests more on attitudes than physical restraints.

This perception of security has a major impact on the morale and levels of frustration and tension for both the inmates and staff in the institution. It is the attitude presented by the administration and correctional officers to the inmates that will assist in the elimination of some of the frustrations and problems that are indigenous to correctional institutions.

This office feels that both types of security are important.

The first type of security concerns the physical plant. The Toronto Jail is well-constructed and the physical building presents no major difficulty regarding the security of inmates.

The information regarding the Toronto Jail's physical security, which was gleaned from interviews with senior jail administrators as well as from the Ministry's Inspection and

Standards Branch report of February 20, 1976, led our office to the conclusion that the Ministry is knowledgeable of any changes that are necessary regarding security and security procedures in the Toronto Jail.

There have been a series of renovations aimed at improving security, both internally and externally. These changes have lent more support to the correctional officers and their handling of the inmates, and have made the Toronto Jail a more secure institution.

The Ministry also has several projected renovations which will bolster the present security. These plans, while not final, will improve the present high degree of security at this antiquated jail.

The completed and projected renovations will not be discussed in detail here due to their confidential nature. Instead, they will appear in the confidential appendix dealing with security matters. Therefore, only general comments will be found regarding the physical security issues at the Toronto Jail.

The second category of security, which can be referred to as an attitude toward the positive interaction between correctional personnel and inmates demands, in our view, more attention. This will be referred to as functional security (staff-inmate relations).

This office supports the Ministry's endeavours to make this second type of security as prevalent as the physical security found in its institutions. The issues raised by many personnel who were interviewed by our Investigators and the many concerns contained in the C.S.A.O. brief speak to the need for this type of attitude toward interaction with the inmate population.

For these reasons, this section of the report will be concerned mainly with the attitude of security, based upon a positive interaction between the correctional officers and inmates. The body of this section will raise issues to demonstrate where there are voids in this interaction. We will also highlight areas within the institutional procedures which support this positive interaction between all within the walls of the Toronto Jail.

This section contains two major subdivisions, one dealing with the physical security and the other concerned with functional security.

The subdivisions are used to delineate between the two types of security. Within the subdivisions are more specific areas of discussion, each having a definite topic related to the overall subject of security.

This approach has been adopted because of the interplay which exists in all of the minor topics which have an overall effect on the concept of security. Without a clear plan, the essence of each issue may very well become lost in the magnitude of the overall topic -- institutional security.

When comparing the Toronto Jail to other institutions, it appeared evident to us that the Toronto Jail was a completely unique environment. Perhaps the most dominant



factor was the sheer size and capacity of this institution in comparison to others in the Province designed for the same basic functions.

The "Don" Jail handles more than three times the number of inmates than the next largest jail in the Province and is the largest institution within the Ministry.

At the time of our November, 1975, visit to the Toronto Jail, it was the impression of our correctional Investigators that the cumulative effects of overcrowding, understaffing and inadequate facilities had produced a state of tension in the male sections of the Toronto Jail which was capable of erupting into a violent disturbance.

Despite these observations, it was the opinion of the majority of staff interviewed in October, 1976, that the situation at the jail had stabilized and was much improved.

Some of these improvements may be attributed to several renovations to the physical facilities which have been made since November, 1975, the recent reorganization of administrative personnel, and the planned opening of two new detention centres in Metro Toronto which would help to alleviate overcrowded conditions at the Toronto Jail.

#### 1. PHYSICAL SECURITY:

##### A) INSPECTION AND STANDARDS BRANCH REPORT - FEB. 20/76

The most recent Ministry Inspection and Standards Branch Report, dated February 20, 1976, indicated no major security problems at the Toronto Jail. The recommendations raised in the report, based on an inspection during January of 1976, were presented to the jail Superintendent. The Superintendent and his senior administrators reacted quickly to these recommendations and many of the concerns have been rectified or plans have been made to handle these issues in the near future.

This office is pleased with the immediate action taken by the Superintendent and the jail's staff in dealing with these recommendations.

Specific information gleaned from the inspection report is discussed in the confidential appendix.

##### B. SECURITY PROBLEM IN OLD BUILDING - CORRIDORS

The Superintendent of the Toronto Jail expressed his feeling that the jail is soundly constructed and a physically secure facility.

Difficulties mainly arise in the old building of the jail and these can be attributed to the archaic design. The solid construction of this major wing of the Toronto Jail makes reconstruction or modernization difficult.

As far as internal security is concerned, the Superintendent felt that adequate supervision of the inmates required a facility which would permit perimeter observation of the inmates while they were in the corridor and their cells. The design of the corridor in the old building

precludes such perimeter observation, as these corridors are elongated away from the correctional officers' post. This is very limiting, for the correctional officer cannot possibly interact with or observe any inmates in need as the standing orders prohibit any officer from entering the corridor unless he is given coverage from another officer.

This problem is magnified when overcrowding becomes extreme, as appears to be the standard situation in many of the corridors at the Toronto Jail.

## 2. FUNCTIONAL SECURITY

### A) OVERCROWDING

"On May 23 of last year, 1974, there were 585 inmates at the Toronto Jail. On May 16 of this year (1975), there were 870 inmates in the same facilities."

The above remark was made on May 29, 1975, in the Legislature by the Hon. R. T. Potter, then Minister of Correctional Services.

On January 27, 1977, the Toronto Jail housed 727 inmates. The official capacity fluctuated from 654 in 1974, to 588 in 1975 to 591 in 1976.

If one were to review the history of the Toronto Jail, it would be found that this facility has almost always experienced a drastic overcrowding situation.

The following chart shows conditions of overcrowding which have developed at this facility since 1972. All figures were provided by the Ministry and are as of the fiscal year end of March 31.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	654	654	654	588	591	591
Greatest Number	745	745	873	860	895	881
Least Number	389	387	386	406	551	613
Average	653	645	619	658	780	750

In mid-November, 1975, the jail housed 779 inmates.

On January 22, 1976, the jail housed 784 inmates.

On October 5, 1976, the jail housed 652 inmates.

On January 27, 1977, the jail housed 727 inmates.

On July 22, 1977, the jail housed 572 inmates. (This lower figure reflects the recent openings of two 200-bed detention centres in Toronto.)

Several Grand Juries have raised this concern, along with all of the personnel and inmates interviewed by our correctional investigators. All have indicated that the overcrowding condition is the most depressing problem at the Toronto Jail.

The C.S.A.O., in its brief to the Shapiro Commission, said,

"Our members indicate that the overcrowding has caused the housing of about 350 prisoners in the old section of the jail where they are accommodated at an average rate of three inmates per 10-foot cell. It has even caused a doubling up of inmates in the new section of the jail which was designed to accommodate but one inmate per cell." (Page 4.)

The Inspection and Standards Branch report of February 20, 1976, contained the following comment:

"In the old building, corridors intended to house 18 inmates in the daytime, house as many as 36, with three corridors having inmates sleeping out in the day section at night." (Page 32.)

The effects of such overcrowding are not too difficult to imagine, especially when one takes into account the lack of ventilation in the corridors and cells as well as the inadequate toilet facilities. During the day, up to 36 inmates in a corridor have access to only one toilet. At night, when the inmates are locked in their cells, they have to use a chamber pot. The Office of the Ombudsman deplors the fact that inmates should ever be subjected to such primitive living conditions. (The Ministry informed us in June, 1977 that exhaust fans would be installed in the near future in all corridors of the old building as well as in one section of the new building.)

All of these elements add to the inmates' discomfort and create an "uptight" attitude. The inmates cannot readily leave the crowded corridor during the day because the number of inmates who are not involved in institutional work programs, receiving visits, or participating in inmate programs greatly outnumber those who are. (During the summer, open-air recreation periods are held for the entire inmate population. In addition, several special programs, such as concerts in the jail chapel, are arranged for the inmates.)

When one realizes that over one half of the total population (369 inmates of 652, on October 5, 1976) are remand inmates, the problem is magnified. Such inmates are classified as maximum-security inmates, are not allowed to participate in any of the work programs and therefore remain in the crowded corridors. The pattern that has developed shows that the remand inmate may spend many weeks, even months, in this overcrowded facility before his case is dealt with by the courts.



In mid-November, 1975, 416 of the jail's 779 inmates were on remand, either awaiting bail, the setting of a trial date, or trial.

On October 5, 1976, 369 of the 652 inmates were on remand.

According to a special study of remand prisoners completed by the Ministry, the Toronto Jail held 374 remand inmates on October 25, 1976, as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
7	less than 1 week
70	1 week
77	2 weeks
51	3 weeks
41	4 weeks
29	5 weeks
26	6 weeks
14	7 weeks
12	8 weeks
6	9 weeks
8	10 weeks
10	11 weeks
3	12 weeks
3	13 weeks
2	14 weeks
3	15 weeks
3	16 weeks
3	17 weeks
2	18 weeks
1	20 weeks
1	21 weeks
1	22 weeks
4	23 weeks
2	24 weeks
1	25 weeks
2	29 weeks
2	32 weeks

The Toronto Jail is supposed to be used as a holding institution for those awaiting trial, the appeal of convictions or serving sentences up to 90 days. The population of longer-sentenced inmates is supposed to remain at the jail only as long as it takes Ministry personnel time to arrange a transfer to a correctional centre.

This is not the case, however, and many inmates remain at the jail for periods longer than 90 days. In fact, some inmates stay at the Toronto Jail for several months before they are transferred.

This type of inmate, who has already been convicted and sentenced, must sit in an antiquated jail awaiting a transfer to a correctional centre where there are numerous programs, vocational training and recreational activities.

This type of stagnancy can only lead to more inmate frustrations and an increase in tension levels. (The lowered inmate population by September, 1977, had allowed more inmates to take part in work and other programs.) The result can be physical confrontation and breaches of the jail's security.

One specific area that has experienced the effects of overcrowding has been the psychiatric unit. This unit has recently been expanded from the original nine beds, to 18 beds, to the present 36 bed facility. The psychiatric unit handles both internal referrals from the jail, and court-ordered referrals for psychiatric assessments. At any one time, there were usually more court-ordered referrals than internal referrals present in the psychiatric unit.

The staff of the psychiatric unit indicated that there was a recurring difficulty in moving people out of the unit who were not in need of intensive care. It appears that the administration of the jail have been placing inmates into the psychiatric unit for purposes of protection and isolation from the rest of the inmate population.

Along these same lines, it has also been very difficult to obtain transfers for patients to other more specialized Ministry psychiatric facilities, such as the Guelph Assessment and Treatment Unit and the Ontario Correctional Institute in Brampton. Even more of a problem, and often an impossibility, is the securing of bed space in outside psychiatric facilities. The solution to this problem is seen as a specialized forensic unit which would be a joint effort between the Ministry of Correctional Services and the Ministry of Health.

(In June, 1977, the Ministry informed us that court-ordered psychiatric referrals would soon be conducted in a provincial forensic unit outside the jail.

(With respect to using the psychiatric unit for protective custody purposes, the Ministry and Superintendent informed us that, in their view, inmates with psychiatric problems or mental disorders, who have to be isolated from other inmates, can be better supervised in the psychiatric unit than in other facilities in the jail.)

This office applauds the Ministry of Correctional Services' recent opening of two detention centres in Toronto. The two 200-bed facilities will alleviate some of the overcrowded conditions at the Toronto Jail. Between these two new facilities, approximately 620 inmates from the Toronto Jail will be absorbed. (Although designed for 200 inmates, the acting Minister of Correctional Services announced in July, 1977, that each centre would accommodate 340 inmates. Allowing for 60 inmates being transferred from the Brampton Jail, this means that up to 620 Toronto Jail inmates could be housed in the new facilities.)

The personnel at the jail indicated that this decrease in population would only be enjoyed for a short period of time. They feared that history would repeat itself in that

whenever bed space within a correctional facility was available, it was quickly filled by the courts. Furthermore, due to the fact that approximately 75% of remand cases originate in the catchment area of the Toronto Jail, they felt that within a short period of time the population could conceivably rise again to its present level.

We support the relocation of as many inmates as possible in the new detention centres and we recommend that the Toronto Jail inmate population be kept at a low level until the projected renovations to the new building have been completed. It is our understanding that the Ministry has plans to temporarily relocate some inmates in the old section. With the count lowered in the new building, the necessary renovations can be completed. When the alterations are finished, the inmates will then be returned to the newer building.

If the future inmate population does not exceed the capacity of the institution, as we strongly recommend, it may be possible to utilize some of the vacant corridors in the old building for inmate programs and recreation.

This office recommends that the administrators of the jail house only short-term offenders and intermittents in the old building. Intermittent inmates, throughout the various institutions, have added a great deal of pressure with regards to overcrowding. In mid-November, 1975, 63 of the Toronto Jail's 779 inmates were serving intermittent sentences, while on October 5, 1976, three of the 652 inmates were serving such sentences. The reason for the low number of intermittent inmates being housed in the Toronto Jail is the fact that Toronto-area inmates serving such weekend sentences are now sent to the Mimico Correctional Centre. Although this transferring process relieves overcrowding problems on the Toronto Jail, the section of this report dealing with the Mimico Correctional Centre shows clearly that Mimico is now facing an acute overcrowding problem on the weekends with the influx of up to 200 inmates every Friday night.

By utilizing the old building to house intermittent inmates, the pressure on the Mimico Correctional Centre would be lessened and the limited space at the Toronto Jail would not be overused, as it has been in the past.

#### B) INTERNAL CORRIDOR ALLOCATION

The overcrowding condition is so serious an issue that it permeates the majority of the concerns dealing with security.

The Toronto Jail is an archaic superstructure which houses inmates in large rows of cells, called corridors. The administration tries to keep inmates with similar characteristics together. Some factors considered are the inmate's age, whether he will be transferred to a federal penitentiary, whether he will be doing a "short-term" in a



Provincial institution, whether he requires special medication, whether he is being held in relation to immigration proceedings, and whether he has been arrested or convicted for a sexual-oriented offence.

After the inmate has been admitted to the Toronto Jail, which requires his being booked, fingerprinted, showered, medically examined and given an issue of institutional clothing, he is placed in a holding area. From there, he is assigned to one of the corridors in the institution, based upon which category of inmate he fits best in with.

The "matching" of an inmate with a population already in the corridor is very important for several reasons and a mistake or mis-match can cause a great deal of difficulty.

If an inmate is placed on a corridor and attention has not been paid to his offence, the inmates already in the corridor may resent his presence and may assault him. An example would be a sexual offender. This type of inmate is found at the bottom of the inmate subculture hierarchy and is much resented. For this reason, extra care must be taken to make sure that inmates who are charged with or convicted of a sexual offence are kept in the same corridor or in protective custody, where the inmate's isolation is his only key to survival.

Special care must be taken to separate the hard-core inmate, who has "been through" the system several times before, from the naive and impressionable first-time offender. If such a match happens, it is possible that the older inmate will try to manipulate the younger inmate into doing things for him. Such "favours" could include the younger inmate giving up some of his tobacco or bringing extra food from the kitchen. The older inmate could force the younger inmate to carry messages for him throughout the institution and such manipulation could also lead to sexual encounters.

We feel that every effort should be made to protect the inmates in our institutions. Concepts of modern social defence speak to the protection of society from those who break the law, as well as protection of those lawbreakers once they have been placed in our correctional system. Therefore, the manipulation of a weaker inmate by an older, more experienced inmate, is an act of coercion and the younger inmate will comply mainly out of fear. If this type of manipulation does take place, as we are sure it does throughout the various institutions, then we are not protecting the younger, more impressionable inmate as well as we should be.

When an inmate is placed into an inappropriate corridor, he may be forced to miss out on some of the programs which are available to his category of inmate. It has come to our attention that sometimes a younger inmate will be placed into a corridor with inmates who will eventually be sent to a federal penitentiary. The correctional and administrative staff may forget that there is a young inmate mixed in with the older offenders. If there are programs

offered for young inmates, this individual may miss out on this activity. Such an omission may seem trivial to ordinary citizens, but one must realize that the ultimate effect it will have on an inmate in this overcrowded facility is enough to cause a great deal of frustration and add to the boredom of living in a corridor.

The correctional officer who assigns the inmates to the various corridors also considers the element of the inmate's potential security risk. If the offender has a past history of violent offences, he will be considered a security risk and will be placed in a very secure section of the jail - the newer building. If the inmate is a first offender and has not proven to be a security risk, he may be placed in a corridor in the old building, where the security is not as severe. If there is some question as to the building into which the inmate should be placed because the correctional officer making the decision does not have enough information, the deciding factor may be the availability of cell space.

In this example, the inmate could be placed in a corridor in the old building. One senior manager felt that this was the sequence of events which led to some escapes from the institution. From April 1, 1973, to mid-November, 1975, there were 15 escapes. All of the inmates were recaptured. In the majority of the escapes, the inmates made their exit from the old building. Any one of these four examples could happen, occasionally due to the lack of proper information or a possible overcrowded situation on a weekend. When one considers the sheer numbers who are involved in the daily process of allocating space within a corridor at the Toronto Jail, one wonders if the frequency does not grow out of all proportion.

To this situation must be added the present and chronic state of overcrowding. Such a condition can easily keep many of the corridors over capacity and therefore make any attempt at the proper allocation appear futile. Nonetheless, the inmate must be placed into a corridor, so the staff begin to shuffle inmates around in order to make space available for the next inmate. The relocation of inmates may place them into one or all of the four predicaments which were raised earlier in this discussion.

It is this office's feeling that there are inherent difficulties when inmates are not properly allocated to the right corridor in an institution. Again, this problem is compounded when there is an intensely overcrowded situation. Such a condition can only lend itself to a build-up of tension and frustration among the inmate population with resulting potential violence and security problems.

The complexity of the misallocation of inmates is greater amplified when the overall conditions at the institution do not lend themselves to an effort to put a halt to the manipulative and physically dangerous activities.

Therefore, staff shortages and the large number of new and inexperienced or inadequately trained staff will only magnify the full issue of misallocation.

As mentioned earlier, the corridors in the old building prevent close perimeter observation and interaction because of their physical design and construction. Therefore, it is impossible for correctional officers to know exactly what is happening at the other end of the corridor. It would be easy for an inmate to assault or threaten another inmate and force him to commit an act he might not wish to do. The correctional officer cannot react immediately to a situation as it arises since he cannot enter a corridor without a back-up officer standing by.

The availability of a second officer in the corridor cannot always be provided with the immediacy that is demanded by the situation. Though it is the exception more than the rule, some correctional officers informed our correctional Investigators that they have had to enter corridors alone, without the required support officer, because the situation taking place in the corridor could not wait for this back-up. Such a situation not only is threatening to the correctional officer, but does not lend the support and protection to the rest of the population in that corridor. Such an event could lead to an inmate or correctional officer being seriously injured. (It is, however, Ministry policy that no officer is required to place his personal safety in jeopardy irrespective of the situation encountered.)

The case may arise where the correctional officer manning the security post is not experienced enough to notice that certain inmates are manipulating the rest of the population. It is understood that with any group, there will be a competition for leadership positions, and a group structure will form. When such a structure develops, in a setting as deprived and upsetting as the Toronto Jail, and the various individual positions within a group are dictated due to physical or psychological threats, then the welfare of the inmates is not being properly guarded.

The difficulties that surround misallocation within a correctional facility are compounded when one remembers that the inmate subculture which exists in all correctional facilities is grounded in a code of ethics. The code forbids any inmate from speaking to a correctional officer unless it is for something simple, like requesting a deck of cards. There can be no discussion regarding events that have occurred or are being planned within a corridor between an inmate and a correctional officer without the inmate being labelled and therefore in need of protection from the administration of the institution. A young, naive inmate, cannot merely inform a correctional officer that one or a group of inmates is manipulating him and forcing him to act in certain ways. If the young inmate does make this mistake



by informing a correctional officer that this type of manipulation is going on, he will place himself in a very compromising position which may result in a physical confrontation with the rest of the inmates.

The situation becomes a major concern when one takes into account other frustrations and tensions that arise, such as overcrowding, which increases the likelihood of these events, the shortage of staff, the high percentage of new correctional officers and a training program which is perceived by some staff as ineffective, all of which hamper the operation of the institution, for the correctional staff will either not recognize any of the already-mentioned events or may not be able to react quickly enough to stop such events from happening.

### C) LIVING CONDITIONS

The old section of the Toronto Jail was constructed in 1862 and the design and architecture of this structure can be considered as one of the major difficulties at the jail.

The corridors, overcrowded with inmates and filled with tension and frustration, are poorly ventilated. There is virtually no circulation of air in the corridors or cells and the air is stagnant. (In June, 1977, the Ministry informed us that exhaust fans were to be installed.)

To this problem, one adds the primitive sanitation facilities in the corridors and cells.

It is hard to imagine in this day and age that inmates in our correctional facilities are forced to use such sanitation facilities within the close confines of a cell that is housing possibly another inmate, if not two. In the morning, one inmate from each cell empties the chamber pot in the toilet at the end of the corridor. The inmates take turns with this duty, unless one inmate is coerced into "volunteering" for the task.

The inmates are allowed two showers per week. With an inmate population of 350, correctional officers must supervise about 3,000 showers per month. The shower room in the old building, with its 14 showers in use 12 hours a day, can only be described as dank and musty. The ventilation system is inadequate to handle the high humidity in this small area and the result is a foul-smelling facility.

This type of condition can only have a negative, depressing effect on the inmate population, for after spending a couple of days in a crowded corridor, and in a cell shared by a couple of other inmates, a warm, cleansing shower would definitely be something to look forward to.

We support the Ministry's efforts to improve the ventilation and any renovations that can improve the general cleanliness and health standards in the shower facilities.

The presence of any lice or vermin is a constant source of aggravation to the staff, maintenance workers and inmates. The possibility of an outbreak is always high and in the



overcrowded conditions, infestation could spread rapidly. Minor occurrences have happened in the past, which have involved entire corridors, but the medical staff have quickly isolated the infections and treated the inmates.

Such a condition is a product of the entire atmosphere and general lack of facilities in the jail. This office cannot support such conditions, for they inflict a very harsh punishment, both mental and physical, upon the inmate population. This punishment is not at the hands of any one individual or any group but is the product of a very outdated, inadequate, overused jail which is unfit for use in its present condition.

(In June, 1977, we were informed by the Ministry that the jail's fumigation vault -- which had been broken -- had been repaired and was fully operational.)

The C.S.A.O. reported the occurrence of shortages in clothing on different occasions. The Inspections and Standards Branch Report of February 20, 1976, spoke to these concerns in terms of the non-operative laundry equipment and the fact that there was a need for more equipment in order to keep up with demands placed on this service. These recommendations are being acted upon by the administration in an attempt to alleviate such shortages as socks and underclothing.

The difficulty arises because of the number of inmates who are in the jail. Approximately 90 inmates a day are transferred to and from the courts. Each must be issued a change of clothing upon re-entering the institution. The new admissions from the police, courts and other institutions also receive issues of clothing upon admittance. The institutional inmate population, which numbers approximately 700 inmates, receives an issue of clothing twice a week.

The strain placed on the laundry facilities becomes insurmountable.

This concern, which was raised by staff and inmates, may seem trivial to those outside of the correctional system, but to an inmate, any break from a routine can cause a great deal of frustration and tension - factors which are directly related to security matters.

The conditions discussed under this section all deal with the living conditions at the Toronto Jail. These are the main issues which were raised by jail staff and inmates and observed by our correctional Investigators. These are the same conditions which community groups and concerned individuals such as June Callwood, the social activist and author, have brought to the attention of many government officials and the public. These are the same deplorable conditions which have caused several Grand Juries to find the old building "unfit for human habitation," as was reported to Mr. Justice Peter Callon by one such Supreme Court Grand Jury on April 14, 1975.

### 3. INSTITUTIONAL MORALE

#### A) INTRODUCTION

During the period from November, 1975, through October, 1976, inmate morale was low. Information was gathered from members of the inmate population, administration and correctional staff, the C.S.A.O. brief to the Shapiro Commission, as well as from Investigators of the Office of the Ombudsman.

During the same period, staff morale fluctuated between low and medium. This assessment was given by the administration and staff at the Toronto Jail as well as by Investigators from the Office of the Ombudsman.

It is our feeling that many of the problems which influence the morale of the inmates also have an effect on the correctional staff. Several factors are plainly visible and have a sharp effect on all who are within the confines of the walls of this antiquated jail, whether they are on remand either awaiting bail, the setting of a trial date, or trial, serving a sentence or working.

To the visibly degrading short-comings of this institution, one must add the effects of such intangible, overpowering difficulties, as demoralization, frustration, boredom, resentment, mistrust and apprehension. These elements have developed into such a serious dilemma that it has become one of the major concerns of this office.

Many of the factors which have a direct effect on lowering the institutional morale surface as security problems.

#### B) INMATE MORALE

The state of deprivation which this institution presents, especially in the old building, is harsh enough to have an effect on both the psychological-emotional and physical well-being of most inmates. This point cannot be stressed too strongly.

The old section was constructed over 110 years ago. Its design and fabrication was not intended to hold the number of inmates that it has accommodated for so long a period of time.

The brief from the C.S.A.O. to the Shapiro Commission has outlined the general conditions of the old section of the Toronto Jail. It described such conditions as inadequate ventilation in the corridors and cells. When one remembers that the corridors are usually overcrowded one can appreciate the need for a ventilation system, especially on warm, humid summer days.

There is also a need for a ventilation system within the shower area. The showers are in use approximately 12 hours a day and in a month's time about 3,000 showers are taken by the inmate population.

Without a strong ventilation system, the shower room becomes filled with a strong, musty odour. Added to this is

the presence of individuals who are being admitted to the jail from the community. Many of these individuals have not been following any type of daily hygiene program and their mere presence adds to the pungent odour. As well, the outdated and inadequate toilet facilities add to the unpleasantness in the corridors.

The possibility of pest control problems getting out of hand is always present. The fumigator, which is located in the Admitting/Discharge area of the jail, was not functioning for a long time.

If all inmates wore institutional clothing, any vermin coming into the institution through street clothing could be better controlled. But remand inmates have the right to wear their own clothing and if the institution cannot properly fumigate the clothing, the possibility of vermin being carried to a corridor becomes a very real problem.

(Although remand inmates are allowed to wear their own clothing, it is the practice of the Toronto Jail to issue all inmates with institutional garb except for brief periods before and after court appearances.)

This problem becomes worse when the availability of institutional clothing decreases due to malfunctioning of the institution's laundry facilities. With a shortage of institutional clothing, the inmates will either go without socks or will wear their own clothing, pants and shirts. Both of these conditions have occurred in the past. The administration has completed updating the laundry equipment and has several projects planned for the future in this area.

As mentioned earlier, the corridors are greatly overcrowded and the administration at the jail is using every available free area. With an institution that was built originally without the concept of inmate programs and as overcrowded as the Toronto Jail is, one wonders how the administration manages to have the inmate programming that it does, even if it involves only a small percentage of inmates.

All of these concerns have a negative effect on the inmates and increase the tension and frustration in the inmate population. The result is a lowering of the inmate morale.

Inmates who are on remand supposedly have more privileges than inmates serving a sentence. The remand inmate is allowed two visits a week rather than only one allowed to sentenced inmates. The remand inmate may also wear his own clothing rather than the institutional garb, though this is rarely the case at the Toronto Jail. (In practice, the Toronto Jail allows all inmates two visits a week. With respect to wearing their own clothing it is the practice at the Toronto Jail to issue institutional garb to all inmates to guard against the introduction of vermin into the jail.)



The remand inmate also has the option of purchasing a different brand of tobacco or receiving the standard issue from the Ministry.

At this point the remand inmate realizes that he is no better off than the sentenced inmate.

The remand inmate is surrounded by many unknown variables. In the confusion and difficulties found in such a jail as the Toronto Jail, the remand inmate will have to contact a lawyer, if he has not already done so, and make preparations for his trial. The remand inmate must be prepared to participate in the weekly migration to court. Some of this ceremony entails a shower and preparation during the evening before, the early reveille and breakfast and the ride to and from the court in a police van.

The remand inmate must remain on the institution count as a maximum-security inmate, even though others, who are already sentenced for crimes more severe, are allowed to do kitchen or maintenance work.

The remand inmate is uncertain as to how long it will be until he is found either guilty or not guilty. If he is found not guilty, the time he has spent behind the barriers up to then has been to no purpose. No one can give him an answer as to how long his trial will take or, if he is convicted, how long his term will be. The remand inmate may also experience some pressure from the other inmates, since the remand inmate leaves the institution to attend court and therefore could possibly bring contraband into the jail.

All of these factors add to the frustration that the remand inmate experiences. The result is an inmate who is hard to deal with because of a build-up of discontentment, restlessness, boredom, and uncertainties.

When these factors are multiplied by the number of inmates who are on remand, one gains an appreciation for the special problems that the remand inmate experiences and at the same time, poses.

In mid-November, 1975, 416 of the jail's 779 inmates were on remand, either awaiting bail, the setting of a trial date, or trial.

On October 5, 1976, 369 of 652 inmates were on remand. The Ministry's research on the length of remand has already been presented.

When a large portion of the inmate population is experiencing the same frustrations and uncertainties as have been described within an overcrowded, poorly equipped, antiquated facility, it is understandable that the tension level would be high and would affect the entire institution.

The Superintendent stated that he felt that one-third of the inmate population could be placed in a medium-security institution and that another 100 inmates, because they pose very little security risk, could be placed in a minimum-security institution.



Using these figures, with an inmate population that fluctuates around 650, almost half of the inmates do not have to be within this maximum-security institution, according to the Superintendent.

Two senior managers discussed the presence of a body of correctional officers and middle managers who have not adopted the Ministry's new philosophy. These officers have been in the correctional system for many years and view the institution as a "lock-up." The idea of rehabilitation is foreign to some of these officers. This point of view is not widespread, but there is enough of a dichotomy to cause a noticeable level of inconsistency in the officers' daily dealings with the inmate population.

The inconsistency, though a minor point to those who have never been in a correctional facility, is enough of a frustration to upset the inmate population. The ultimate effect is an increase in tension and a lowering of inmate morale since the inmates are powerless to change the situation. One of the inmate fears is that they may be charged for an action by one officer, when, if another officer was on duty, no charge would be laid.

One correctional officer stated that even a change in the deployment of correctional staff will have a noticeable effect on the inmates in that specific corridor area.

When one takes into account the past staff shortages and the fact that many officers do not have a great deal of experience, one can begin to see how easily inconsistencies can creep into the handling of inmates. The final effect is a lowering of inmate morale.

It has been mentioned on numerous occasions that the Toronto Jail lacks the physical space necessary for an adequate program for the inmates. There are only so many institutional work assignments, such as working in the kitchen, the stores, or maintenance details, which can be handled by inmates. When these jobs have been assigned, the rest of the population must somehow fill their time doing other things. But there is no program space available to keep the inmates occupied and this institution lacks staff to participate in an inmate program.

This lack of activity over long periods of time could have an adverse effect on many inmates.

The professional staff, in the medical and psychological units, also informed our Investigators that their facilities were outdated and could not meet the needs of the inmate population.

The psychology staff felt that there is enough need to justify the employment of another psychiatrist and that this service should be made available five days a week, instead of the three days a week as it is now. There is also a need for another psychologist. The Chief Medical Officer said that there is a dire need for major renovations to the medical facility. Furthermore, the nursing staff should be

increased to allow for better coverage of all sections of the institution.

This senior manager indicated that the tension level in the inmate population has risen drastically and the number of inmate assaults on other inmates can be seen as an indicator of this. On a monthly average, the Chief Medical Officer stated, there are approximately 25-30 such assaults and at least two acts of self-injurious behaviour.

Without the availability of such support services in this type of an institution, where there are no means of release for the pressures that build on a daily basis, the professional staff indicated that the only recourse that the inmates have is to take out their frustrations on each other, as indicated by the statistics mentioned above.

However, renovations are being carried out in the institution in an attempt to counter some of the pressures which are constantly being exerted on the inmates. Some of these renovations are listed below:

1. The increased visiting capacity through the installation of 18 telephones in the old building - an increase from the four telephones previously available for inmate/visitor conversations;
2. An extensive painting project in the old building;
3. The introduction of a more efficient service for garbage disposal through the use of a compactor instead of an incinerator;
4. The major renovations to the jail kitchens;
5. The renovation of the front reception area;
6. The contracting of a janitorial service to clean and maintain all offices in the new building;
7. The repairing of four dryers in the female laundry section;
8. The installation of an air conditioning unit in the male medical offices of the old building; and
9. The establishment of a new exercise area for psychiatric patients.

Though these reconstructions are only beginning to scratch the surface of the problems, they are a beginning. Future renovations will pick up where these have left off in an attempt to alleviate the problems of these inadequate facilities.

Some of the future proposed renovations include:

1. A medical complex; the Medical and Dental facilities to be located in the

- utility area adjacent to the main exercise yard. The male surgery area would be gutted and allow for an area for programming facilities;
2. The enclosure of the outside ramp of the new building to provide some shelter for visitors to the institution;
  3. Some improvements to be made to the freezer system in the kitchen in addition to a new potato peeler;
  4. De-fusers to ventilate the shower area.

#### C) STAFF MORALE

During the period November, 1975, through October, 1976, staff morale fluctuated between low and medium. This assessment was given by the administration and staff at the Toronto Jail as well as by the Investigators from the Office of the Ombudsman. Our correctional Investigators made three general observations with regard to the staff morale at the Toronto Jail. The first dealt with the low morale which the correctional officers were exhibiting. The general feeling our Investigators had was that their morale was almost bordering on apathy.

The second observation was that there was a general lack of communication between the administration and the correctional staff. The majority of staff interviewed said that the lines of communication between the correctional staff and the administration, and the Union and the administration, had deteriorated.

A third observation dealt with the feeling that the correctional officers had regarding the support they should be receiving from the administration. Some officers felt that the administration did not back the officers up during their daily duties. There were several reasons for this feeling, all of which will be discussed later in this report.

The final outcome of these three facts was a work-to-rule campaign which the Union, supported by the correctional officers, again introduced to the jail. This type of retaliation had been tried in the past by the Union with great success. On these occasions, the concerns raised by the Union were listened to by the administration and by Ministry personnel. The lowering of the count of the inmate population was one result of such campaigns.

It is our view that actions such as work-to-rule campaigns cannot be justified in Ontario's correctional institutions and we would remind all correctional officers who are members of the Ontario Public Service Employees Union that they bear a heavy responsibility to ensure that the correctional system is able to perform its functions. We hope that, should similar grievances arise in the future, the union members affected will seek other methods of resolving their problems with the Ministry.



The following facts and observations blend into the fabric of the low to medium morale. The source of these concerns included jail administrators and correctional staff as well as the observations made by Correctional Investigators from this office.

It is this office's feeling that the difficulties with staff are posing a far greater problem than the administration's dealings with the inmates at the jail. The administration is having a good deal of difficulty coping with a small but forceful group of older officers who are resisting changes in the institution which the administration is attempting to bring about. In general, the attitudes of the majority of the older staff members of the jail are of great concern to the senior administrative staff at the institution. It appears that this attitude is prevalent among some of the middle management correctional staff. In essence, these older officers have been trained and gained their experience during the old county jail days when many of the operating procedures which the present administration is trying to change were widely accepted and promoted by the institutional administration. Most of the problem centers around the inability of some of the older correctional officers to adjust to these new methods of dealing with inmates after so many years of operating in a certain way.

When the jail system was run by the counties and municipalities, jails were used primarily as "lock-ups." This concept of corrections merely used the facility to secure the inmate population from contact with the community. The correctional officer during this time period was referred to as a "guard" and that was basically the task he performed. Contact with the inmate was carried out through orders from the guards to this confined population. The position of jail guard within a community setting was not one that was favourably looked upon and therefore it was difficult getting people to fill these positions. For this reason, the academic requirements were kept at a minimum and there was a great deal of overtime. The lines of communication within an "old county bucket" paralleled those one would find in the military. The front line officers created a loyalty for the administrators of the institutions and were accountable only to the sergeants. The jail itself became a small community within a larger societal setting and the public did not really show any interest in the daily events of such an institution.

When the Ministry of Correctional Services took over the responsibility for the jails throughout the Province in 1968, it also altered the milieu within these antiquated institutions. Suddenly, the guards were classified as "correctional officers" and the academic requirement was increased to encourage a higher calibre of officer. New mandates were formed for the correctional staff and they were no longer merely required to lock the inmates in the cell and give orders. The "turnkeys" had to adopt the

Statement of Purpose of the Ministry which requires an attempt to modify attitudes of those in the correctional facilities and to provide them with training and treatment that will afford them opportunities for successful personal and social growth in preparation for their return to the community. The guards now found programs being introduced to their antiquated jails. Those who had broken the law were now being given an opportunity to receive vocational training and academic opportunities as well as the benefits of the medical, dental and psychiatric support services. All of these programs were designed with the prime emphasis of fulfilling the twin mandate of the Ministry.

The Statement of Purpose is built on the concept of open communication between inmates and the staff. This communication is the main force behind the correctional process that attempts to modify the individual's attitudes and behaviour toward society. The Ministry realized that the deprived settings of these outdated jails would not positively influence the attitudes of the inmates. Furthermore, by offering the inmates this opportunity to readjust their own lifestyle and attitudes it might be possible to counter the forceful influence of the inmate subculture within the institution and thereby reduce the tensions and minimize the conflicts which are likely to exist in this type of setting.

Many of the older correctional officers resented and still are resisting this change of purpose that the Ministry introduced in 1968. They see this approach as being weak and pro-inmate rather than lending support to the correctional officers. They are showing their dislike by undermining the new philosophy within Ontario's jails to the detriment of the correctional system. They do not realize that the lines of authority are no longer drawn on loyalty as was required by the old system. Now, the administration of the jail has been supported by concepts of management and personnel techniques. The idea of team approach has been introduced into many jails, including the Toronto Jail, and the blind obedience of an officer is no longer a mandatory element in a properly-run institution. The correctional staff are now required to do more than turn a key to open or shut a cell door. Part of their duty is to talk with inmates and to become part of the influence which will hopefully assist the inmate in realigning his life and attitudes.

We do not wish to imply that this difficulty in accepting the new philosophy is prevalent in all correctional officers. That is not the case. Rather, there is a minority of staff who do not see the benefits of this type of a system. Several correctional officers stated that the Toronto Jail is ill-equipped to accommodate the number of inmates it does and that it should return to its function as a holding centre, where the role of the correctional officer is strictly that of maintaining security and custodial supervision over the inmate population.

On the other hand, other correctional officers felt that for their job to be meaningful, the Ministry's goal of rehabilitation of offenders should be attempted by the correctional officers and thus the officer's role should be more of a counsellor than a custodian. It would appear that until this problem is resolved, a great improvement in staff morale is unlikely. Such a dichotomy within the ranks of the correctional officers can only lead to apprehension and mistrust within these ranks. The overall effect must be very confusing for new correctional staff for they are hearing that the philosophy is to counsel and rehabilitate and yet, because of the overcrowding, the understaffing and the inadequate facilities, and because they are being given first-hand experience by older correctional officers, they see that their task is really that of a "turnkey." The ultimate effect of the dichotomy is an inconsistency in handling inmates and in following daily operating procedures. Both of these potentially affect the morale of the inmate and correctional officer and may lead to security problems.

Our Investigators also observed a low morale within the ranks of the middle management at this institution. These officers, many of whom have worked their way through the ranks, do not see any chance of promotion from their position. Furthermore, these officers see no incentives for promotion because those in higher administrative positions do not receive the overtime compensation that the front-line officer does. These managers are also experiencing a lack of communication with the upper management, basically because their orientations and philosophies are different. There is a direct opposition in most cases between these two ranks.

The overall effect that this mid-management group has on the institution is a very powerful one for they are the individuals closely involved in running the daily routine. The administrators of this institution have many tasks which do not allow them the opportunity to work first-hand on the corridor with the inmates and the correctional staff. Therefore, a great deal of reliance is placed into the hands of these middle managers.

It is this office's feeling that the basic difficulty with this category of institutional staff rests primarily with the fact that they hold a different correctional philosophy than the one that the present administration of the jail is trying to instill throughout this institution. We totally support the Ministry's Statement of Purpose and the implementation of that Statement of Purpose throughout the correctional facilities of the Province. It is our feeling that the present administration is trying to instill this philosophy throughout the Toronto Jail. It is our understanding that this task is presently being thwarted by two types of problems. The first problem has already been briefly discussed, namely, the older correctional officers



having been trained and having gained experience over the years under a philosophy that differs from the present one. This is a major problem and without its rectification the administrator who tries to enforce a new philosophy will always face strong opposition. We firmly believe that with additional training and the introduction of new procedures, this opposition can be turned around and used as a basic support for the firm entrenchment of the new principles of corrections in this Province.

The second problem in implementing the Ministry's Statement of Purpose relates to the difficulties and concerns which have already been raised in this report. Such problems as overcrowding, inadequate facilities, understaffing and the lack of concise, concrete training, all lend themselves to supporting the old philosophy.

When one compares the old ideas of corrections and those presently adopted by the Ministry of Correctional Services, one will notice that many of these problems are prevalent in both systems. This report speaks to these issues and it is our firm belief that if we can eliminate the difficulties of overcrowding, update the inadequate facilities, increase the staff so that there are the proper ratios between inmates and correctional officers and then afford those officers an opportunity to receive the proper training for their roles within the criminal justice system of this Province, the new philosophy will take root more readily than it has in the past.

This office is greatly concerned with this issue and the fact that we have noticed and have been told that the anxieties, frustrations and tensions which are evident in the ranks of the older officers and middle management are starting to appear within the ranks of the junior officers, namely the correctional officers in categories one, two and three.

The front-line staff, many of whom are newer correctional officers, have expressed many of the concerns and problems which the middle management staff have. This may not seem unusual in that both groups are working in the same environment and are therefore affected by the same problems. But this is not entirely the case, for the newer correctional officers have indicated that they do not wish to become "turnkeys" and rely upon physical security as the only means of separating the inmate from the community. These younger officers have stated that they support the Statement of Purpose of the Ministry and wish to become more involved in the process of rehabilitation. They have indicated that they would like to become more knowledgeable about the dynamics of counselling and wish to share their abilities to a high degree with others in the correctional system.

Even though these officers support the Statement of Purpose of the Ministry, they nonetheless indicated to our staff that there are many problems blocking the path of this new approach.

Correctional officers one's, two's and three's make up the front-line staff at the Toronto Jail. This group also comprises the majority of the staff complement. Out of a total staff complement of 247 employees, there are 213 correctional officer one's, two's and three's. If the morale is low within these ranks, then there is a good chance that the high level of security which is necessary for this institution will be affected through inconsistencies in the operation.

The first problem recognized by this office, in relation to the front-line staff, deals with the understaffing situation.

In 1975, the total staff complement consisted of 34 managers and 198 correctional officers. The category of managers was comprised of the Superintendent, a Deputy Superintendent, Assistant Superintendents, C.O. 5's and C.O. 4's. This management group represented staff from both the female and male sections of the jail.

With regards to the correctional officer staff, the following chart gives the breakdown according to officer category:

C.O. 1 )		
)	-	189
C.O. 2 )		
C.O. 3	-	9
	TOTAL	<u>198</u>

The official staff complement did not represent the actual number of correctional officers in the categories aforementioned.

The C.S.A.O. Report of October, 1975, indicated that the institution had a working complement of 147 correctional officers in the male section of this jail. The official complement is scheduled for approximately 170 officers.

The Superintendent indicated that the male section of the institution was indeed understaffed by 19 correctional officers.

To place this shortage in the proper perspective, during the same period, the inmate population was listed at 772 inmates, which was well above the average for the year of 1975, which was 658 inmates. The greatest number of inmates housed at the Toronto Jail during 1975 was 873 inmates. The Ministry has listed the total inmate capacity for the institution at 591, giving an overcrowded situation of 282 inmates when one uses the figure 873 to represent the inmate population. The Ministry has indicated that this institution has 128 security posts which must be manned 24 hours a day. This would be an insurmountable task for the 147 correctional officers when one takes into account staff holidays, statutory holidays, regular days off, and sick leave.

During the same period, the Government of Ontario placed a freeze on increasing the size of the Civil Service. Therefore, the hiring of new staff was not a viable alternative for the administrators of this jail.

The unrest and resentment from this understaffing situation permeated the entire jail and the understaffing problem was voiced as the major difficulty next to the overcrowding of inmates.

Many of the difficulties which arose during the last two years have all been part of the understaffing situation. No matter what alternative was sought and put into practice, the basic foundation was very weak and overworked. Therefore, the alternatives were never really given the support that would have been necessary.

The understaffing problem was dealt with by the use of overtime. Several correctional officers earned over \$20,000 during 1975. This office is not opposed to the officers earning more money through overtime work, for they did, indeed earn this money many times over, but the effects of the long periods of work are well known. Some officers told our Investigators, as did inmates and administrators in the jail, that correctional officers became exhausted, were always on edge and were anticipating difficulties so that they could react to them in normal fashion. The many hours worked resulted in fatigue and frustration for the other problems at the Toronto Jail became more noticeable and more resented.

This condition persisted for approximately one year. From April 1st, 1975 to March 31st, 1976, the Toronto Jail spent \$759,343 for staff overtime. During the month of September, 1976, the institutional staff worked a total of 4,739 hours of overtime.

Such a condition can only continue to lead to increased institutional tension.

When the staff expressed their concern about the amount of overtime worked and the effect that this overtime situation was having on correctional officers, the administrators reacted by increasing the use of casual employees. From April 1st, 1975 to March 31, 1976, the Toronto Jail spent \$154,839 for casual employees.

This move had only a short-lived effect, because the casual employees presented more problems than solutions. Because of the drastic regular staff shortage, the casuals were immediately placed into the institution's security posts. They were not given a great deal of training. Because of this, they posed a very serious problem to the full-time correctional staff.

A correctional officer manning a corridor may have to rely upon the back-up assistance from another correctional officer if a difficulty arises on that corridor. This means that the two officers must trust each other, for a wrong move could result in a very serious injury or possibly death. Such trust can only develop over a period of time



and after the correctional officers have worked together. Furthermore, the fact that they have had a similar training will give them a consistency in their approach, another element required in a correctional setting.

The correctional officers stated that trust and consistency were not evident in the casual employees. Not all the casuals were ineffective, though our Investigators were led to believe that the majority were not considered to be good correctional staff due to the circumstances of the institution at that time. Again, the effect was an increase in tension and frustration and the correctional officers continued to be apprehensive about the situation at the jail.

The correctional officers saw the Ministry of Correctional Services as not being very concerned about their plight. The Union had voiced their concerns regarding staff shortages and poor training, but there was no concrete response from the Ministry.

At the same time, the administrators of the jail were trying to reinforce the ideas and practices of rehabilitation and had actually increased the requirements placed on the correctional officers. This sudden implementation of a new correctional philosophy, during the same time that understaffing and overcrowding were prevalent, had a negative effect upon the correctional staff.

The correctional officers saw the institution as being run for the "poor" inmate and they felt that little concern was being given the correctional staff. All these elements were amplified by the investigations which were carried out by the Shapiro Commission, the police, and Investigators from this office. Suddenly, the correctional officers were not being trusted to handle their duties. Everyone was looking over their shoulders.

The more the correctional officers asked for an increase in staff, a decrease in the inmate population, more intense training, and a chance to do their job, the more difficulties were placed before them. The overall effect of this was a drastic rate of staff turnover. The correctional officers were constantly experiencing increasing frustration and tension and were seeing little intrinsic value in the role they were trying to fulfill.

As of January 27, 1977, the Toronto Jail had 213 correctional officers on staff. Of this number, 120 had less than two years experience, 30 had between two and five years and 81 had more than five years. This meant that 56% of the correctional officers, with less than 2 years' experience, were new to the Toronto Jail.

According to Ministry officials, staff turnover throughout correctional institutions was about 22 per cent prior to January, 1975, when substantial salary increases were given and a higher educational standard was required for new officers.

After these changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Toronto Jail lost 19% of its correctional officers through separations and in 1976 it lost 17% for the same reason. Based on these figures, the Toronto Jail was suffering from an excessive staff turnover rate.

Other contributing factors were that some correctional officers, the older officers, were having difficulty accepting the Ministry's Statement of Purpose. This core group had an effect on the younger officers, since they had more contact with the younger officers than the administration did.

This dichotomy within the institution was strong enough for many of the younger officers to feel that the administration was trying to run the institution for the inmates and was not really listening to the concerns of the staff. The correctional officers were frustrated by the administration because the Superintendent, or his Deputy, were perceived as not supporting the officers when disposing of some institutional charges against inmates. Furthermore, inmates were being released from the segregation area too early, in the eyes of the correctional officers, yet their release supported the concept of rehabilitation which the administration was trying to implement. The special diets in the segregation area were not being enforced as often as they had been in the past, and the officers said this was another sign of a lack of inmate discipline.

All of these events led to the feeling that the administration was not supporting correctional officers who were manning the corridors. It appeared to the correctional staff that they were left in the middle, not sure of what they should or should not do and no matter what path was chosen, there was always the possibility of an investigation taking place.

Further complexity was added by the reorganization of the roles of the jail's administrators. Many officers felt that this reorganization led to breaks in the chain of command and again lent support to the inmates, for they now had more administrators to appeal to concerning institutional charges. The correctional officers saw the administration as being top-heavy and removed from the main action, from the inmates in the corridors.

All of these issues were again greatly affected by the general working condition at the Toronto Jail. The jail was in dire need of renovations and alterations yet the Ministry was pouring millions of dollars into new institutions which would be modern, clean, and more appealing to work in. And still, no money was available to increase the staff. The officers became more frustrated, and the tension level rose.

These were the major concerns expressed by the correctional staff, administrators and some of the inmates at the

Toronto Jail. They are not all-inclusive and some officers expressed other concerns such as a lack of public support.

We are pleased to see that the correctional officer complement has been increased to 213. This increase will greatly benefit the entire institution and we hope the increased numbers will better enable the staff to cope with the physical setting in which they must work.

This office found it hard to believe the amounts of money which were spent on overtime and casual employees during the fiscal year 1975/1976. The total amount spent was \$914,182, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 79.1 additional full-time correctional officers were hired. Such an expense, though necessary to keep the security of the institution at a high level, could have been spent on the hiring of new staff if this path were available to the administration of the jail. We are in full support of the Ministry's desire to increase the staff complement by 38.

We recommend that Ministry personnel and administrators at the Toronto Jail embark upon an intensive training program for all institutional staff in order to regain the consistency which is necessary for such a facility. The concerns on this specific issue will be discussed in the chapter on staff training.

The professional staff from the medical and psychiatric units also expressed their concerns to our Investigators. These individuals appeared to be as frustrated and demoralized as the correctional staff and exhibited many of the same feelings of apprehension.

The professional staff also felt it was understaffed. The following list indicates the increase that the Chief Medical Officer felt was necessary.

- 1 Psychiatrist
- 2 Full-time Nurses
- 1 Radiologist
- 1 Psychologist.

The professional staff stated that its level of effectiveness could be greatly improved if it had increases in personnel.

The staff in the psychiatric unit expressed its feeling that it was meeting the needs of approximately 16 inmates. That figure is put in the proper light when one realizes that on January 27, 1977, there were 714 inmates housed at the institution. The professional staff in the psychiatric unit felt that it was only scratching the surface of inmate problems.

Not all inmates need the assistance of the psychiatric staff, but many jail staff and administrators, as well as professionals on the psychiatric unit indicated that more inmates are exhibiting psychiatric problems and the need for



this service appears to be constantly increasing, as evidenced by the enlargement of bed space in the psychiatric unit. Originally, this unit had space for nine inmates. It was then increased to 18 and now has a total capacity of 36.

Furthermore, the psychologists requested an increase in the availability of psychiatric staff. At present, two consulting psychiatrists are available only three days a week. The staff in the psychiatric unit feel that a third psychiatrist is necessary and that the service should be available five days each week. Such an increase could alleviate some of the pressures and tensions which the inmates are experiencing in the corridors.

There is also a drastic need for a new medical unit. The present facility is outdated and overused to such an extent that the treatment room is also used as a lunchroom, a lab, and a change room and the staff find it most difficult to keep the room and its equipment sterile.

The final concern voiced by the medical staff, and one which is supported by this office, is the need for increased First Aid training for correctional officers. The Chief Medical Officer felt that with the present understaffing in the medical unit, a more comprehensive First Aid course for correctional officers could lend great assistance to the medical staff during the night-time hours.

Additional concerns were raised with regard to the practice of employing either casual or Office Overload employees in the records office. The jail administration has placed a heavy emphasis on these categories of staff.

We feel that the need for full-time employees in this area is of great importance so as to eliminate inconsistencies in the records office. Casual and Office Overload personnel are usually only employed for a short period of time, therefore making any type of meaningful training a difficult task.

The need for full-time, well-trained records clerks is self-evident and we recommend that the Ministry increase the full-time staff complement in the records office.

All of these problems and concerns have had an effect on the staff morale, which we noticed as improved from the time of our first visit of November, 1975. Nonetheless, staff morale, as of late 1976, can be categorized as medium. Some of the credit for the increase in morale during the year can be given to the Ministry and the administration for their attempts at improving the overall conditions at the Toronto Jail.

Two new 200-bed detention centres have recently opened in Toronto and the opening of these detention centres normally would allow the Ministry to transfer about 340 inmates from the Toronto Jail. Another 60 beds in the Metro Toronto Detention Centre in Etobicoke were set aside for prisoners transferred from the Brampton Jail which has closed. (In July, 1977, however, the acting Minister of Correctional

Services announced that each new centre would accommodate 340 inmates. Allowing for 60 inmates being transferred from the Brampton Jail, this means that up to 620 Toronto Jail inmates could be housed in the new facilities.)

The Government also has approved plans for a 500-bed, \$35 million Toronto South Detention Centre to be built on the grounds of the Mimico Correctional Centre. Ministry projections call for this centre to be completed in about 1983.

In addition, the Government has approved plans for a \$2 million renovation to the 1955 wing of the Toronto Jail.

The Ministry has not formulated any final plans about the disposition to be made of the old section of the Toronto Jail.

If and when the Ministry's building program is completed, the Metro Toronto area will have a capacity of about 1,100 inmates, based on housing 200 inmates in the 1955 section of the Toronto Jail. The Toronto Jail has a current official capacity of 591 inmates and current (as of July 22, 1977) inmate population of 572.

The opening of the two new Metro Toronto Detention Centres have already had an effect on the inmate population at the Toronto Jail. Prior to the openings, however, the staff indicated that it was their feeling that the population of inmates at the Toronto Jail would decrease, but only for a short period of time. This feeling was due to the fact that approximately 75% of remanded cases originate in the catchment area of the Toronto Jail and inmates may be housed in this facility. Our correctional Investigators were led to believe that the establishment of the new centres would not, in the long run, alleviate the overcrowded conditions at the jail.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Toronto Jail, the Metro West and Metro East Detention Centres by 1986 would be 863.

The current capacity of these institutions is 600\* inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent.

In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);

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\* Includes 400 inmate beds at the Metro West and Metro East Detention Centres and 200 beds in the 1955 section of the Toronto Jail. Assumes no use made of old section of Toronto Jail.

- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

When the two new Metro Toronto Detention Centres become fully functional, there will also be an effect upon the correctional staff at the Toronto Jail. Some officers will transfer to either of the new centres. When these individuals have been transferred, the opportunity for advancement within the ranks of the Toronto Jail will improve - thereby hopefully answering one criticism lodged with us by middle management personnel.

We recommend, however, that when the inmate count at the Toronto Jail is lowered to the level of its official capacity, the Ministry not lower the official staff complement. This office feels very strongly that the official complement should be reached and maintained and that the staff at this institution be given an opportunity to participate in the Ministry's training program so that the operation at the Toronto Jail can reach and maintain a high calibre and lend support to the Ministry's Statement of Purpose and rehabilitation program.

The administrators at the Toronto Jail have been holding monthly meetings with representatives of the Ministry of Government Services to learn in an expedient fashion the status of any forthcoming projects. As mentioned earlier, a list of future projects has been planned for the institution and the administrators feel that on-going contact with personnel from Governmental Services is a necessity to ensure that these projects are to be completed.

The administrators have also undertaken to commence training programs for their middle management personnel. These individuals have been participating in a management program and the results to date have been encouraging. The administrators are excited about this program and wish to expand it throughout the institution to meet the needs of the correctional and administrative staff.

The following list contains a few of the physical renovations which have been completed and which have had a



positive effect upon the morale of the correctional, and administrative staff at the institution.

1. The capacity of the jail's psychiatric unit has been increased from 18 to 36 beds.
2. An extensive painting project has been completed in the old building.
3. Renovations of the Chief Security Office in the old building have been completed.
4. Renovations of the front reception area have been completed.
5. Air conditioning units have been added in the correctional officers' lunchroom, the recreation room, and the Chief's office.

Though some of these changes and alterations may appear to be miniscule, they have nonetheless had a positive effect upon the correctional staff.

A number of submissions have been made by the Ministry of Correctional Services to the Ministry of Governmental Services regarding future major and minor renovations. Such things as the construction of a new medical and dental facility within the utility area adjacent to the main exercise yard, the resurfacing of the stairwells throughout the old building, the new subfloors to be added to the upper and lower dormitories of the old building, the installation of fans in both ends of all corridors in the old building, the increase in parking facilities for the correctional staff, and the installation of a seamless floor to the surface area of the rotunda, through the officers' assembly area to the front door of the old building were among the suggested projects.

#### 4) FEMALE SECTION

The female section of the Toronto Jail presented a stark contrast to the facilities available for the male inmates. No significant differences were observed in this area between our November, 1975, and October, 1976, correctional report visits except that overcrowding in this section had become a problem. However, single cell occupancy was still the norm unlike conditions in the male section.

The female section has an official capacity of 48 inmates in addition to two segregation cells. Although the count on the day of our November, 1976, visit was four below capacity, on the previous day the count was 61 females - 13 above capacity.

The overcrowding situation became a problem when the female section lost the use of one corridor which contained 36 cells and 6 segregation cells.

The physical layout of this section includes part of the fourth floor of the new building, which has two corridors of 36 cells (18 each); part of the fifth floor, containing

two corridors of 12 cells (6 each); five beds in the hospital section; two segregation cells; one dormitory which is utilized as a recreation centre with a kitchen, a lawyer's room and an interview room, and a visiting area which allows for three visits simultaneously.

The female section is more compact than the male section, and consequently it is easier to supervise.

Inmate morale was viewed by a senior matron as high, although "it has been known to fluctuate by the entrance of one mental inmate." When our Investigators asked about the possibility of housing some female offenders in medium or minimum security settings, she asserted firmly that all of the females required a maximum-security setting.

Although she felt that the security in the female section was adequate, she expressed a concern relating to the necessity for more discipline with the inmates. She said that she felt the female inmates were more difficult to handle than the male inmates and therefore the authorities were more strict in this section of the jail.

The Office of the Ombudsman does not agree with this assessment.

Inmates in the female section worked in the laundry, cleaned their cells and maintained the corridor area. During the day, they read, played cards, watched TV, listened to the radio or used the exercise yard or library. In addition, there were regular visits by members of the Salvation Army. During the evening, the recreation area was principally used for cooking groups, Elizabeth Fry Society volunteers, yoga groups and movies.

According to a senior matron, staff morale fluctuated, but at the time of the interview, she felt there was a "great staff in the female section of the Don Jail who give 100 per cent," and that the staff were happy. The female section staff consisted of 28 officers - five officers with two years experience or less, and 23 with more than two years experience. She felt that the officers in this section received "enough" on-the-job in-service training and that more was neither desired nor required. The correctional officers we spoke to, however, said there was a need for more training.

It is our feeling that while it is possible to instruct a correctional officer in the dynamics of physical security and daily operating procedures, such finality cannot be obtained when one is learning about the dynamics of human beings interacting in a positive fashion.

This second line of security is viewed as the primary change agent within the Province's correctional facilities. Training for all levels of correctional personnel is necessary in order to develop and maintain an attitude which is supportive of the Ministry of Correctional Service's Statement of Purpose.

The matron said that segregation is used only as a last resort - if the matrons are unable to reason with one of the

inmates or if an inmate attempts to harm herself. The restricted diet is very rarely, if ever, used. There are two segregation cells each containing a toilet, but no sink. Indefinite segregation is utilized for those who are unable to cope in the corridor and if the behaviour persists the inmate is usually taken to the hospital setting. At the time of the November, 1976 visit, there were three such inmates in the hospital section.

This information was supported by the female inmates interviewed in November, 1976, by our correctional Investigator.

Some inmates were randomly selected for interview purposes during the Investigator's tour of the facility. Some had been serving a sentence at the Vanier Centre for Women and were transferred to the Toronto Jail as "trouble-makers" for not complying with the programs offered at the institution. They had been incarcerated at the Toronto Jail on previous occasions.

They said the jail had a relaxed atmosphere. It appeared that they favoured incarceration in this jail instead of the Vanier Centre for Women, mainly because the matrons at this facility did not pry into their problems or play what they called "head games."

Our conversations with inmates at the Toronto Jail between November, 1975, and October, 1976, indicated that, aside from the problems associated with the constant overcrowding situation, they felt that the atmosphere in the jail had improved.

However, in November, 1975, virtually every inmate we spoke with complained of the constant boredom associated with incarceration at the Toronto Jail. In addition, they complained about the physical facilities for visiting, medical and personal hygiene purposes, commented adversely on the lack of trust among inmates, and felt that despite the Royal Commission, the efforts of our office, and numerous Grand Jury reports criticizing the Toronto Jail, very little was likely to change.

By October, 1976, some inmates interviewed by our Investigator remarked on some improvements, especially in staff-inmate relations, but most felt that the overall atmosphere at the jail had changed little. Both staff and inmates in this section expressed the need for a recreational area.

There appeared to be an adequate communication system between staff and inmates in this section and a consistency of supervision on the part of the matrons. In general, the female section appeared to be an adequate facility, with no urgent problems.



## RECOMMENDATIONS

### WE RECOMMEND:

1. THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO PROVIDE THE NECESSARY FUNDS TO CONSTRUCT THE METRO TORONTO SOUTH DETENTION CENTRE; AND
2. THAT WHEN TORONTO SOUTH IS COMPLETED, THE OLD SECTION OF THE TORONTO JAIL BE CLOSED. THIS RECOMMENDATION IS IN ACCORD WITH THE NUMEROUS GRAND JURY RECOMMENDATIONS THAT THE 1862 SECTION OF THE TORONTO JAIL BE CLOSED. (In late 1977, the Minister of Correctional Services announced that the old section of the Toronto Jail was to be closed and demolished in early 1978.) AND
3. THAT UNTIL THE TORONTO SOUTH DETENTION CENTRE IS COMPLETED, THE MINISTRY ENDEAVOUR TO KEEP THE ACTUAL INMATE COUNT AT THE TORONTO JAIL -- MEANING ONLY THE NEWER SECTION OF THE JAIL -- AT OR NEAR A MAXIMUM OF 264 INMATES; AND
4. THAT WITH THE OPENING OF TORONTO EAST AND TORONTO WEST, THE TORONTO JAIL NOT SERVE AS A DUMPING GROUND FOR ALL OTHER INSTITUTIONS BECAUSE IT MAY HAVE ADDITIONAL SPACE TO HOUSE INMATES; AND
5. THAT WHEN CURRENT OVERCROWDING PROBLEMS ARE EASED THROUGH THE TRANSFER OF UP TO 620 INMATES TO THE METRO EAST AND METRO WEST DETENTION CENTRES, THE MINISTRY SEEK GOVERNMENT APPROVAL TO PROVIDE THE NECESSARY FUNDS TO PERMIT ACCELERATION OF THE ALREADY-APPROVED RENOVATIONS TO THE 1955 SECTION OF THE EXISTING TORONTO JAIL. (In July, 1977, we were informed that renovation plans were in progress including an upgrading of medical and dental facilities. Kitchen renovations have now been completed.) AND
6. THAT THE MINISTRY GREATLY IMPROVE THE QUALITY AND QUANTITY OF STAFF TRAINING AVAILABLE TO CORRECTIONAL OFFICERS AND OTHER STAFF AT THE TORONTO JAIL. IN THIS REGARD, THAT THE MINISTRY APPOINT AN ASSISTANT SUPERINTENDENT RESPONSIBLE FOR STAFF TRAINING AT THE TORONTO JAIL TO PLAN AND IMPLEMENT THE REQUIRED TRAINING. A PRECEDENT FOR THIS RECOMMENDATION EXISTS WITHIN THE MINISTRY OF CORRECTIONAL SERVICES AT THE OTTAWA-CARLETON REGIONAL DETENTION CENTRE. THE EMPHASIS ON STAFF TRAINING SHOULD FOCUS NOT ONLY ON THE 100 OR MORE OFFICERS WITH LESS THAN TWO YEARS EXPERIENCE BUT ALSO INCLUDE SIGNIFICANT CONTENT FOR OFFICERS WITH LONGER SERVICE REQUIRING PARTICULAR TRAINING NEEDS; AND
7. THAT THE MINISTRY REVIEW THE INTERNAL ORGANIZATION OF THE TORONTO JAIL WITH A VIEW TO BREAKING DOWN THE TOTAL JAIL POPULATION INTO SMALLER, MORE MEANINGFUL UNITS.

WITHIN THE PRESENT JAIL SET UP, THE FEMALE SECTION AND THE 4-C PSYCHIATRIC UNIT COULD SERVE AS PROTOTYPES FOR SUCH A REORGANIZATION; AND

8. IN CONJUNCTION WITH RECOMMENDATION SEVEN, THAT THE PATTERN OF STAFF DEPLOYMENT AT THE JAIL BE ALTERED, AND THAT STAFF BE ASSIGNED ON A UNIT BASIS. WE FEEL THAT THERE ARE MANY POSITIVE ADVANTAGES TO BE GAINED IN TERMS OF CREATION OF A MORE HEALTHY INSTITUTIONAL ATMOSPHERE AND WOULD POINT TO WHAT WE BELIEVE TO BE AN ALREADY SIGNIFICANTLY HIGHER STAFF AND INMATE MORALE IN THE PSYCHIATRIC AND FEMALE SECTIONS OF THE TORONTO JAIL AS EVIDENCE; AND
9. THAT THE MINISTRY, IN CONJUNCTION WITH THE ATTORNEY GENERAL'S DEPARTMENT, EXPLORE THE POSSIBILITY OF PROVIDING A REMAND COURT FACILITY TO BE LOCATED AT THE JAIL WHICH WOULD REDUCE THE COSTLY AND, IN SOME CASES, RISKY PROCESS OF TRANSPORTING LARGE NUMBERS OF INMATES TO AND FROM EXISTING COURT FACILITIES; AND
10. THAT THE MINISTRY REVIEW THE ADEQUACY OF MEDICAL, DENTAL AND PSYCHIATRIC SERVICES AT THE TORONTO JAIL, WITH A VIEW TO UPGRADING THESE SERVICES AND THEIR AVAILABILITY TO INMATES. IN CONJUNCTION WITH THIS, THAT THE MINISTRY GREATLY AUGMENT THE FACILITIES FOR THE DELIVERY OF THESE SERVICES AS PART OF AN OVERALL RENOVATION PLAN FOR THE INSTITUTION. (In July, 1977, we were informed that the jail's medical and dental facilities were being renovated.) AND
11. THAT THE MINISTRY FURTHER IMPROVE RECREATIONAL PROGRAMMING AT THE JAIL BY THE CONSTRUCTION OF AN APPROPRIATE GYMNASIUM FACILITY ON THE SITE OF THE PRESENT OLD RECREATION YARD. IN CONJUNCTION WITH THIS RECOMMENDATION, THAT THE MINISTRY ALLOCATE FUNDS TO HIRE A FULL-TIME RECREATION OFFICER TO PLAN AND IMPLEMENT AN EXPANDED RECREATIONAL PROGRAM. (In July, 1977, we were informed that renovation plans for the jail do not include the construction of a gymnasium because multi-purpose recreation rooms have been included in the overall renovation plans.) AND
12. THAT WHEN UP TO 620 INMATES ARE TRANSFERRED FROM THE TORONTO JAIL TO THE TWO NEW DETENTION CENTRES IN METRO EAST AND METRO WEST, THE MINISTRY NOT DECREASE THE OFFICIAL STAFF COMPLEMENT AT THE TORONTO JAIL, BECAUSE THE NUMBER OF SECURITY POSTS WITHIN THE JAIL WILL NOT BE DECREASED. (In December, 1977, the Ministry informed us that when the old section of the jail is closed, staff complement will be reduced to 209 -- 150 of which will be Correctional Officers. The Ministry assured us that this number is adequate and will not require excessive overtime or the use of unclassified staff.) AND

13. THAT THE MINISTRY CONSIDER INCREASING THE NUMBER OF STAFF IN BOTH THE MALE AND FEMALE SECTIONS OF THE JAIL TO DECREASE THE AMOUNT OF STAFF OVERTIME AND THE HEAVY RELIANCE ON THE USE OF CASUAL EMPLOYEES; AND
14. THAT CONSIDERATION BE GIVEN TO PROVIDING AN ADDITIONAL RECREATION AREA FOR THE FEMALE SECTION OF THE JAIL; AND
15. THAT THE MINISTRY ACCELERATE ITS PLANS TO ESTABLISH TWO ADDITIONAL COMMUNITY RESOURCE CENTRES IN THE TORONTO AREA TO MEET THE RISING NEEDS FOR SUCH FACILITIES; AND
16. THAT THE MINISTRY TAKE IMMEDIATE STEPS TO ENSURE THAT PERSONNEL EMPLOYED IN THE JAIL'S RECORDS OFFICE ARE WELL-TRAINED FULL-TIME STAFF AND THAT IT ENSURE THAT LESS RELIANCE IS PLACED ON TEMPORARY EMPLOYEES; AND
17. THAT THE MINISTRY ALLOW THE JAIL'S ADMINISTRATORS TO INCREASE THE INSTITUTION'S PSYCHOLOGICAL STAFF TO AID IN INTERNAL ASSESSMENTS AND INMATE CLASSIFICATION; AND
18. THAT THE MINISTRY ALLOW THE JAIL'S ADMINISTRATORS TO INCREASE THE PSYCHIATRIC SERVICES AVAILABLE TO INMATES. (In June, 1977, the Ministry informed us that a full-time psychiatrist had been appointed to the jail's staff and that a second psychiatrist position would be filled in the near future).



## NIAGARA REGIONAL DETENTION CENTRE

### GENERAL

The Niagara Regional Detention Centre, located in Thorold, about 70 miles south of Toronto, was opened in September, 1973.

The centre's official capacity is 130 male and 9 female inmates.

As of October 5, 1976, its official staff complement included 10 management and 42 correctional personnel.

Our observations of this centre began in November, 1975, and have continued to date.

### INMATE POPULATION

October 31, 1974-----	86
October 31, 1975-----	102
November 14, 1975-----	122
January 27, 1976-----	130
October 5, 1976-----	109
January 27, 1977-----	117 *
July 22, 1977-----	88

\* Plus 15 intermittent inmates  
on weekends.

During the fiscal year ending March 31, 1977, the centre held a daily average of 110 inmates. The greatest number held during the year was 155 inmates and the least number was 59.

It is apparent from the above figures that the Niagara Regional Detention Centre is not normally faced with an overcrowding problem.

### Remand Prisoners

On November 14, 1975, 16 of the centre's 122 inmates were on remand awaiting bail, the setting of a trial date, or trial.

On October 5, 1976, 32 of the centre's 109 inmates were remand prisoners.

According to a special study completed by the Ministry of all remand prisoners as of October 25, 1976, the centre held 47 remand inmates as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
11	less than 1 week
5	1 week
4	2 weeks
6	3 weeks
10	5 weeks
1	6 weeks

...con'd...

<u>Number of Inmates</u>	<u>Length of Remand</u>
1	7 weeks
1	8 weeks
3	9 weeks
1	11 weeks
1	12 weeks
2	15 weeks
1	17 weeks

#### Court Transfers

During the week of October 4-8, 1976, 49 inmates were processed and transferred from the centre to local courts.

#### Intermittent Inmates

On November 14, 1975, 6 of 122 inmates were serving intermittent sentences. On October 5, 1976, 11 of 109 inmates were serving intermittent sentences. On January 27, 1977, 15 of 132 inmates were serving intermittent sentences.

#### Community Resource Centre

The Niagara Regional Detention Centre is not served by a Community Resource Centre and the Ministry has no plans to establish one in the near future.

#### Future Building and/or Renovation Program

The Ministry is currently tendering a \$330,000 contract for an air-circulating system in the centre.

In addition, the Ministry plans to build a 20-foot high pre-cast concrete wall to augment the chain-link fence which now encloses the centre's maximum-security section. As well, we were informed in July, 1977, that the Ministry had submitted to the Ministry of Government Services plans for an addition to the Centre to provide for indoor recreational facilities with construction to commence during the fiscal year 1977-78.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a new 200-bed detention centre to replace the Brantford and Simcoe Jails and to relieve population pressure on the Niagara Regional Detention Centre. In addition, the plan called for a 100-bed addition to the proposed new detention centre by the year 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 344 inmate beds in the area by 1986 and 574 inmate beds by 2001. The current combined official capacity of the Niagara Regional Detention Centre and the Brantford and Simcoe Jails is 190.

Of the 36 Ministry facilities dealt with in the plan, the Niagara-Brantford-Simcoe proposals were prioritized as 11th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Niagara Regional Detention Centre by 1986 would be 125.

The current capacity of the institution is 139 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

The Ministry no longer plans to construct a new detention centre in the Niagara area.

#### STAFFING

NOTE:            Management = M = Superintendent  
                                Deputy Superintendent  
                                Assistant Superintendent  
                                C.O. 5 (Lieutenant)  
                                C.O. 4 (Sergeant)  
                  Correctional = C = Correctional Officers

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")



	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	7/46 (1:6.6)	10/45 (1:4.5)
Actual M/C Complement	7/43 (1:6.1)	10/45 (1:4.5)
Official Inmate Capacity	139	139
Official C - Inmate Ratio	1:3	1:3
Actual Inmate Population	102	117
Actual C - Inmate Ratio	1:2.4	1:2.6

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Niagara Regional Detention Centre spent \$27,841 for staff overtime, and an additional \$143,427 for casual employees. The total additional salary expenditure for the year was \$171,268, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 14.8 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 31 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 13.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the Correctional Officer complement would be increased by 7.)

#### Correctional Officer Turnover

As of January 27, 1977, the Niagara Regional Detention Centre had 45 correctional officers on staff.

- 4 (9%) had less than 2 years experience.
- 27 (60%) had between 2 and 5 years experience.
- 14 (31%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Niagara Regional Detention Centre lost 20.7% of its correctional officers through separations and in 1976 it lost 12% for the same reason. Based on these figures, the Centre was suffering from an excessive staff turnover rate.

## SECURITY

### 1. Escapes

There was 1 escape during the three fiscal years 1973 to 1976. The inmate was recaptured.

### 2. Deaths

During the two year period ending in mid-November, 1975, there were 2 attempted suicides, but no deaths at this institution.

### 3. Inmate Damage

The Superintendent informed us that there is little or no inmate damage inflicted upon the facilities at the centre.

### 4. Hostage-Taking Incidents

The Superintendent informed us that there have been no hostage-taking incidents at the centre.

### 5. Current Security Problems

During our visits to this centre since 1975 and our conversations with the Superintendent and correctional officers, two major security problems were brought to our attention.

The centre's administrators said the addition of another perimeter fence would assist them in detecting and aborting attempted escapes and that the installation of security screening on the minimum-security windows would also add to the centre's security.

According to an inspection carried out in April, 1976, by the Ministry's Inspection and Standards Branch, the Centre's main security problems were the lack of security windows and adequate fencing. (In June, 1977, the Ministry informed us that dormitory screens have been installed and razor ribbon fencing has been added to the existing fencing.)

A previous inspection report, covering an inspection carried out from February 17-20, 1975, stated "security procedures, both interior and exterior . . . were good."

## SEGREGATION

The Niagara Regional Detention Centre had six segregation cells as of October 5, 1976, and two were in use that day. During the six month period ending October 5, 1976, 143 inmates had been placed in segregation, 97 for disciplinary reasons, eight for their own protection, and the remainder for other reasons. The Superintendent informed our office that segregated inmates are checked by correctional officers every 20 minutes, depending on the reasons for the inmate having been segregated.

Our Investigator noted in October, 1976, that there is no correctional officer routinely posted in the segregation area and that, as a consequence, should an inmate require assistance, he or she would have to wait until the regular patrol was carried out. Our Investigator commented that this could result in a serious situation and, under the checking system then in effect, he or she would not be discovered as quickly as would occur if an officer were constantly posted in the segregation area.

## INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 11 originated from inmates at the Niagara Regional Detention Centre. Of that number, three concerned medical treatment and one dealt with visiting privileges. There were no complaints about dental treatment, the use of segregation or the centre's meals.

## INSTITUTIONAL MORALE

During the period November, 1975, through October, 1976, the staff at the Niagara Regional Detention Centre and Investigators from the Office of the Ombudsman assessed staff morale as high.

During the same period, staff and inmates at the institution described inmate morale as high.

## Conclusions

The factors which contributed to the high staff and inmate morale from November, 1975, through October, 1976 included:

- 1) The institution was not overcrowded.
- 2) Unlike most other institutions, there was not a large percentage of remand prisoners being incarcerated.
- 3) There were very varied inmate programs in the institution.
- 4) The administration provided effective leadership.
- 5) The Superintendent maintained an on-going staff training program. He brought in



police officers to inform correctional officers about drugs, for example, and he utilized his senior officers to train junior staff in the consistent application of the centre's rules and regulations.

- 6) The institution enjoyed a low staff turnover rate and most of the staff had several years of corrections experience.
- 7) The administration was supportive of increased recreational facilities for inmates.
- 8) There was a great deal of communication between staff and administration and between staff and inmates.

After the original November, 1975 visit, our Investigators came away with the impression that this facility was a very smooth-running institution with very little tension and high staff morale.

The official inmate capacity of 139 was housed in maximum and minimum-security areas. On November 14, 1975, the inmate count totalled 122 inmates and on October 5th, 1976, the inmate total was 109. Our most recent correctional report visit in October, 1976, supported the initial impressions of the Investigators who conducted the original survey. For example, it was pointed out that the Detention Centre was considered to be the least likely institution to experience any hostility or any disturbance even of the most minor nature. Furthermore, unlike most other institutions, there was no major problem with remand prisoners. Although about one-third were awaiting bail, the setting of a trial date or trial, the inmates spent very little time in the court process which appeared to take no longer than two to three months at the maximum.

There were very extensive inmate programs in this institution and very few were restricted only to the minimum-security inmates. That is, the maximum-security inmates could participate in almost every program available in the institution with the exception of the arts and crafts program.

The programs included shuffleboard, weightlifting ping-pong and cards. Unlike other jails and detention centres, this institution was one of the few, if not the only one, providing such inmate facilities.

It was evident to our Investigators that this was a well-run facility. The staff complement was adequate and the Superintendent had decided to utilize part of the working shift for staff training purposes. He brought in police officers to inform correctional officers about drugs, he utilized his senior officers to ensure consistency in the application of rules and regulations, and the institution enjoyed a very low staff turnover rate.

In his three years as Superintendent, he said, he had not dismissed any employees, although several had resigned when they found that they were unable to properly handle their job responsibilities. The Superintendent used casuals to fill the vacancies. In this particular institution, the casual staff appeared to be very well thought of.

Uppermost in the Administration's mind appeared to be support for more recreational facilities for the inmates. Their philosophy was that through tension-reducing agents such as recreation the institution would become more secure rather than less secure. The Office of the Ombudsman supports this philosophy.

#### CONCLUSIONS AND RECOMMENDATIONS

OUR VISITS TO THIS INSTITUTION, OUR CONVERSATIONS WITH ADMINISTRATORS, CORRECTIONAL OFFICERS AND STAFF, AND OUR REVIEW OF TWO INSPECTION REPORTS LED US TO THE CONCLUSION THAT THIS WAS A WELL-RUN DETENTION CENTRE, HOWEVER,

WE RECOMMEND:

1. THAT THE MINISTRY IMMEDIATELY IMPLEMENT THE SECURITY PROPOSALS CONTAINED IN THE INSPECTION REPORT OF APRIL, 1976, AND COMMENTED UPON BY THE CENTRE'S ADMINISTRATORS; AND
2. THAT THE INSTITUTION REVIEW ITS POLICY REGARDING STAFFING IN THE SEGREGATION AREA WITH A VIEW TO POSTING A CORRECTIONAL OFFICER IN THAT AREA AT ALL TIMES WHEN THE CELLS ARE OCCUPIED.

## OTTAWA-CARLETON DETENTION CENTRE

### GENERAL

The Ottawa-Carleton Detention Centre, opened in 1972, is located in Ottawa and has an official capacity of 186 male and 10 female inmates.

Its official staff complement as of October 5, 1976 included 18 management and 62 correctional personnel. On February 22, 1977, it included 14 management and 63 correctional personnel.

Our observations of this centre began on November 14, 1975, and have continued to date.

The Office of the Ombudsman originally visited the Ottawa-Carleton Detention Centre as part of the initial November, 1975, survey of 35 correctional institutions in response to the inmate complaints we had received and also in response to the concerns of the C.S.A.O. that there was imminent and serious threat to life and property within the Ontario correctional system.

Although we had originally intended to issue a special and separate report on the problems at the centre, our ongoing visits to the institution -- including two visits by the Ombudsman himself and his senior staff, as well as by Investigators on a regular basis, and meetings held in our Toronto office with senior administrators of the centre -- led us to believe that many tensions were being defused because of changes in the centre's top management and that we could, therefore, include our report on this institution with our observations on other correctional facilities.

### INMATE POPULATION

On November 14, 1975 (when the institution's capacity was 176 male and 30 female inmates), the centre held 163 male and 8 female prisoners.

On January 27, 1976, the inmate count was 150 male and 9 female prisoners, on October 5, 1976, the centre held 154 male and 6 female inmates, and on January 27, 1977 (when the capacity had been changed to 186 male and 10 female inmates), there were 123 male and 6 female prisoners in the centre. An additional 24 intermittent prisoners served sentences during each weekend. On July 22, 1977, the centre held 114 male and 4 female inmates.

During the fiscal year ended March 31, 1977, the centre held an average of 164 inmates daily. The greatest number held was 207 inmates and the least number held was 121.

On the basis of these figures, it is clear that the Ottawa-Carleton Detention Centre has not experienced an overcrowding problem.



### Remand Prisoners

On November 14, 1975, 75 of the centre's 171 inmates were on remand awaiting either bail, the setting of a trial date, or trial. The number of remand inmates on October 5, 1976 was 105.

According to a special study of remand prisoners completed by the Ministry, the centre held 86 remand inmates on October 25, 1976, as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
6	1 week
6	2 weeks
11	3 weeks
10	4 weeks
6	5 weeks
7	6 weeks
6	7 weeks
6	8 weeks
3	9 weeks
3	10 weeks
3	11 weeks
1	13 weeks
3	14 weeks
3	15 weeks
2	16 weeks
1	17 weeks
1	19 weeks
1	20 weeks
1	21 weeks
1	23 weeks
1	25 weeks
1	26 weeks
1	34 weeks
1	47 weeks
1	87 weeks

### Court Transfers

On November 17, 1975, 24 of the centre's 171 inmates were scheduled for processing and transfer from the institution to local courts.

During the week of October 4 - 8, 1976, 100 inmates were taken to and from court. Our office was informed on February 23, 1977, that an arrangement had been made with the local defence bar and Crown Attorney's office that, upon agreement between defence and crown counsel, court appearance remands are waived and an accused who is normally transferred from the centre to court and back, remains at the institution. This practice, it was hoped, would alleviate the time-consuming task of processing and transferring numerous inmates from the centre to the courts every day.

### Intermittent Inmates

On November 14, 1975, 11 of the centre's 171 inmates were serving intermittent sentences.

On January 27, 1977, although the institutional resident count had dropped to 123 male and 6 female inmates, the centre also had 24 intermittent inmates in its care on weekends.

### Community Resource Centre

The Ottawa-Carleton Detention Centre is served by Riverside House, a 6-bed Community Resource Centre located in Ottawa. It is operated for the Ministry by the Salvation Army. Another Centre, the House of Hope, is used primarily for inmates involved in a restitution program.

In addition, through co-operation between the administrators of the Ottawa-Carleton Detention Centre and the Rideau Correctional Centre, inmates from the Detention Centre are also housed at Riverview Centre, an 18-bed community resource centre in Ottawa operated for the Ministry by the Salvation Army.

### Future Building and/or Renovation Program

The Ministry has embarked on a 4-stage program to increase internal security at the Ottawa-Carleton Detention Centre. The first stage, currently nearing completion, is designed to increase the physical security of #4 wing which was damaged during an inmate riot. Two other stages, to be carried out in 1977-78, consist of increasing the security to the control area as well as another wing of the centre. There are also plans to make the entrance to the centre more secure, and this work is tentatively scheduled for 1977-78.

In addition, a contract has been let for the construction in 1977 of a pre-cast concrete wall, which will provide additional perimeter security to the maximum-security section of the centre. The wall will be in addition to the two chain-link fences which already enclose the maximum-security section.

There are also tentative plans to make the exercise yard more secure to allow for a more varied recreational program.

Included among a group of projects which were on the Ministry's Major Capital Program lowest priority list was a Government-approved \$1.025 million renovation to enlarge the centre's inmate program capability.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 150-bed addition to the Ottawa-Carleton Detention Centre by 1986 and another 150-bed addition by the year 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 332 inmate beds by 1986 and

535 inmate beds by 2001. The Ottawa-Carleton Detention Centre has a current official capacity of 196 inmates.

Of the 36 Ministry facilities dealt with in the plan, the Ottawa-Carleton additions were prioritized as 23rd.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Ottawa-Carleton Detention Centre by 1986 would be 173.

The current capacity of the institution is 196 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

The Ministry no longer plans to construct additions to the centre.

#### STAFFING

NOTE:            Management = M = Superintendent  
                                Deputy Superintendent  
                                Assistant Superintendent  
                                C.O. 5 (Lieutenant)  
                                C.O. 4 (Sergeant)  
          Correctional = C = Correctional Officers

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")



	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	14/57 (1:4.1)	16/69 (1:4.3)
Actual M/C Complement	14/57 (1:4.1)	16/69 (1:4.3)
Official Inmate Capacity	188	196
Official C - Inmate Ratio	1:3.3	1:2.8
Actual Inmate Population	154	129
Actual C - Inmate Ratio	1:2.7	1:1.9

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Ottawa-Carleton Detention Centre spent \$149,657 for staff overtime, and an additional \$174,550 for casual employees. The total additional salary expenditure for the year was \$324,207, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 28 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 45 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 16.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

#### Correctional Officer Turnover

As of January 27, 1977, the Ottawa-Carleton Detention Centre had 69 correctional officers on staff.

- 46 (67%) had less than 2 years experience.
- 15 (22%) had between 2 and 5 years experience.
- 8 (11%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Ottawa-Carleton Detention Centre lost 28.5% of its correctional officers through separations and in 1976 it lost 40.6% for the same reason. Based on these figures, the Centre was suffering from an excessive staff turnover rate.

## SECURITY

### 1. Escapes

Since the centre opened in 1972, there have been 18 escapes. \*

### 2. Deaths

Since the centre opened in 1972, there have been 6 inmate deaths. Three deaths occurred through natural causes, two were suicides, and one inmate was murdered in November, 1975, by a person or persons unknown.

### 3. Inmate Damage

About \$125,000 worth of damage to the institution was caused by inmates during disturbances in September, 1975, and early 1976.

### 4. Hostage-Taking Incidents

In June, 1975, 6 inmates, in the course of an escape, shot and wounded two correctional officers.

In September, 1975, an inmate riot took place during which extensive damage was done to the centre's furniture, cells, day-rooms and corridors.

In January, 1976, a correctional officer was taken hostage by two maximum security inmates. The hostage was eventually released unharmed and the inmates were sentenced to federal penitentiary terms.

### 5. Current Security Problems

Because of the number of inmate disturbances and escapes during 1975 and 1976, many correctional officers felt,

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

during our interviews with them, that both the internal and external security at the institution was inadequate.

The Ministry has embarked on a number of projects to improve institutional security, all of which are discussed under the heading "Future Building and/or Renovation Program" included in an earlier part of this section.

#### SEGREGATION

The Ottawa-Carleton Detention Centre had seven male and two female segregation cells as of October 5, 1976, and two cells were in use on that date. During the six month period ending on October 5, 1976, 56 inmates had been placed in segregation, 50 for disciplinary reasons and the balance for protection reasons.

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 13 originated from inmates at the Ottawa-Carleton Detention Centre. Of that number, three concerned medical treatment, two related to the Centre's meals, two concerned the use of segregation, and one dealt with dental treatment. There were no complaints concerning visiting privileges.

#### INSTITUTIONAL MORALE

In November, 1975, the staff at the institution and the Investigators from the Office of the Ombudsman described the staff morale as low. By October, 1976, the staff morale had improved significantly.

Similarly, in November, 1975, both staff and inmates described the inmate morale as very low. However, by October, 1976, inmate morale had shown some improvement.

#### Conclusions

The factors which contributed to the low staff morale in November, 1975, included:

- 1) Difficulties relating to the style of management and leadership provided. There was a communication gap between institutional staff and the administration and between inmates and the administration.
- 2) Correctional officers stated that there was an inconsistency in the application of institutional rules and regulations.
- 3) A large percentage of the inmates were remand prisoners awaiting trial - many for more than two months.
- 4) The radial-arm layout of the maximum-security area, in the opinion of many



officers, was not conducive to effective security and proper inmate discipline. For example, inmates in each of the four maximum-security corridors could see each other through windows at the entrances to the corridors. If inmates in one of the corridors were fighting, throwing food or rioting, inmates in the other three areas could easily observe these outbursts and initiate similar demonstrations in their own areas.

- 5) There was a high staff turnover rate. As of January, 1977, more than half the staff had less than two years experience.
- 6) With the high staff turnover, there was little opportunity for staff training.
- 7) The officers were concerned about their personal safety in the centre.

Some of the factors which contributed to the low inmate morale in November, 1975, included:

- 1) A communication gap between the administration and some inmates. Because of the problems in the institution, inmates did not have adequate access to the Superintendent to resolve their problems.
- 2) Some inmates were awaiting transfer to a federal penitentiary, but were being held at the Ottawa-Carleton Detention Centre pending appeal of their sentence or trials on other charges. The inmates were impatiently awaiting transfer to the federal system.
- 3) There was a high number of remand prisoners being held, many for lengthy periods of time.

For example, of the 86 remand inmates held at the centre on October 25, 1976, 28 had been held for more than eight weeks, and four inmates had been incarcerated on this basis for six months or more.

- 4) Due to tensions which had existed prior to November, 1975, many of the programs in the day rooms of the maximum-security area had been curtailed. The inmates were inactive and bored.
- 5) Because of the high staff turnover, inexperienced officers were inconsistent

in their application of rules and regulations. The result was a great deal of inmate apprehension and uncertainty.

Factors which improved staff morale by October, 1976, included:

- 1) The arrival of a new Deputy Superintendent who increased contact among institutional staff and inmates. Eventually, the Deputy Superintendent became Superintendent and took complete control of the institution.
- 2) The communications between the administrators and the staff and the administrators and the inmates had improved greatly.
- 3) Renovations were completed in the maximum security wing to prevent inmates in each of the four corridors from seeing each other through the windows. These renovations provided for greater security.
- 4) The Ministry of Correctional Services approved the construction of another wall around the centre to improve perimeter security.

Some of the factors which contributed to improved inmate morale by October, 1976, included:

- 1) Greater contact with senior administrators of the institution.
- 2) A more consistent application of rules and regulations by correctional officers.
- 3) Increased access to facilities for inmates in the maximum-security area.
- 4) An attempt on the part of the administration to improve the recreational program at the institution.
- 5) The administration expressed concern about the number of remand inmates in the institution and the length of their remands.

Despite these improvements, the morale of both staff and inmates was not high.

Our observations during the initial November visit and seven subsequent visits to this institution led us to formulate several specific recommendations which we feel could not only ameliorate some of the difficulties which have befallen this correctional institution, but also improve its future stability.

Prior to presenting specific recommendations in regard to the Ottawa-Carleton Detention Centre, a brief summary of our involvement and observations in this centre may be helpful to provide the background for our recommendations.

The Ottawa-Carleton Detention Centre, opened in 1972, is designed to function both as a jail and a remand centre. As a jail, it holds inmates serving 90-day sentences or less, and as a remand facility, it holds inmates awaiting bail, trial and disposition. The institution originally officially accommodated 176 males and 30 females, 90 beds being in the maximum security area and 86 beds in the minimum security area. Female inmates were housed on the second floor of the structure. At the time of the November visit by members of our staff, 24 beds in the maximum area were still out of service, having been damaged in the riot of September, 1975. As of November 13, 1975, our original arrival date, the inmate population was 180, the bed capacity being only 162 beds.

Essentially, the institution is a maximum security setting and within this setting are three areas: 1) the female section on the second storey of the building; 2) the minimum-security area, which is designed on a dormitory basis and separated by a long corridor from 3) the maximum security area which consists of four wings radiating from a central control module.

During our initial November visit, senior correctional personnel submitted that the institution was overcrowded, partly because of the number of months remand prisoners had to await trial, and partly because of the delay in transferring prisoners to other correctional institutions in the region.

In addition, the detention centre became additionally burdened by the influx of intermittent inmates reporting for their weekend confinement. The arrival of the intermittent prisoners represented an added burden to the workload of correctional staff. Even though the imposing of the intermittent sentence by the court defines, by law, that the sentence is to be served on a specified number of weekends, thereby allowing the inmate to maintain his financial responsibilities to his family and to live at home during the week, each weekend the intermittent prisoner arrives he must be processed through the entire admittance procedure. Not only does this become administratively burdensome, but it also adds to the number of inmates that the correctional staff must supervise, feed, and include in available programs. In addition, the intermittent prisoner is often placed in a compromising position by the regular prisoners who demand that he smuggle in contraband items, for example, drugs. Refusal to co-operate is very likely to subject one to inmate sanctions ranging from ostracism to physical harm.

Administrative personnel in this centre, including shift supervisors and the Superintendent, appeared to agree



that the detention facility was extremely difficult to manage. Compounding the difficulty with both the remand prisoners and the influx of intermittent prisoners, the institution has been beset by problems since its initial opening in 1972, partly attributable to the actual physical deterioration of the building, and the poor architectural design of the maximum security area.

(During our discussion of the difficulties at this centre, it should be borne in mind that the Superintendent in charge during our investigation was the fifth to hold that position since 1972. Four previous Superintendents were relieved of their duties due to stress.

(It should also be pointed out that design problems and staff-inmate tensions had existed at the centre since its opening.)

A brief synopsis of our observations and interviews with both staff and inmates in the maximum security area may serve to depict why we were so concerned with this institution.

Because a number of cells were damaged in the inmate riot, overcrowding was of great concern to the correctional staff who submitted that security of the institution was inadequate. Overcrowding was mainly concentrated in the maximum-security area and it is in this area that most of the recurring problems plaguing this institution arose. As mentioned earlier, part of the basic problem is the architectural design of the cell ranges. In the front of each cell range is a common day room where inmates are housed during most of the day. The day rooms encircle the maximum control module. Because of this design, there is a constant high noise level in this area generated by both the closing of metal doors and the verbal exchanges between inmates in different ranges. The ability of inmates to hear their fellows and, in some situations, to also view the occurrences in other day rooms, appeared to be a contributing factor to the September riot. Coalesced with both overcrowding, and poor physical design of the maximum security area was the problem with the number of remand prisoners being housed in this facility and the length of time it took remand prisoners to be processed through the courts.

The excessive number of remand prisoners in the detention centre was a major contributing factor to the on-going problems faced by staff and administrators. Some remand prisoners in this centre served over 10 months "dead time", that is, time spent by a remand prisoner waiting in jail before his trial commences that is not recognized by law as time already served.

(Chapter Four of this report, General Conclusions and Recommendations, includes a Recommendation that such "dead time" be recognized in law when deciding on the appropriate sentence to be imposed on a convicted person.)

Remand prisoners are uncertain about their future, unable to participate in the temporary absence program, unable to enjoy some of the activity programs designed for sentenced prisoners, allowed differential access to canteen privileges, and lack recreational facilities. These conditions serve only to provide the basis for pent-up hostilities and tensions to erupt into physical aggression with minimal provocation.

Detention facilities, albeit not originally intended to house inmates for great lengths of time, have been forced through circumstances beyond their control to do so. The longer the remand prisoner has to remain housed in this facility awaiting trial, the more restless and tense the individual becomes. Part of this dynamic can be understood when one realizes that the remand prisoner is more tense than one who has been sentenced, simply because he cannot look forward to the end of his sentence, nor can he be assured that the time that he has served awaiting trial will be taken into consideration at the time of disposition.

An additional problem concerns the penitentiary inmate serving anywhere from 2 years to life imprisonment who is also housed in this institution awaiting trial for outstanding charges. The longer the sentence, the less the federal inmate has to lose by inciting disturbances and riots. We have been told often that penitentiary inmates perceive the provincial correctional system as childlike compared to the type of privileges and facilities available to them in the federal penitentiaries. Apparently, this lack of facilities and what they consider as trite rules and regulations provides the catalyst for tension and disruptive behaviour.

Correctional officers who were working in the maximum security area during our initial visit stated that they found their working environment extremely tense and pointed to the high staff turnover rate as evidence of same. Some of the problems allegedly contributing to this high staff turnover rate were as follows:

- a) The unbearable noise levels in the maximum-security area.
- b) The constant overcrowding which provided numerous problems to correctional officers in inmate management.
- c) A lack of staff training and development courses for new and old correctional officers. Experienced officers had to keep an eye on both new officers and inmates alike. The main danger appeared to be that new correctional officers could inadvertently create dangerous situations without realizing they had done so.
- d) The officers complained that there were far too many casual staff being employed

in the maximum security area. Officers said they would feel a great deal safer if full-time trained correctional officers were available at all times for all shifts.

- e) Many correctional officers expressed concern because of the lack of perimeter security around the Ottawa-Carleton Detention Centre. They maintained that it was extremely easy for anyone to throw a gun or weapon over the fence. This accentuated the worries of the correctional officers when they took inmates for yard exercise.
- f) Correctional officers complained that there was not enough discipline in the institution.

The issue of perimeter security was discussed by our Director of Institutional and Special Services after she had contacted the National Capital Commission (N.C.C.), owners of the land on which the centre is built. After determining that the N.C.C. had no serious objections, it was our office's assessment that the safety of both staff and inmates would be enhanced if a perimeter fence were constructed around the entire institution.

It was unfortunate that the escape of six dangerous inmates on October 3, 1976, through the existing perimeter fences, clearly demonstrated how true were the concerns of the correctional staff. It should be noted, however, that the present institutional administrators have not only supported additional perimeter security, but had apparently requested its installation long before the most recent escape. More will be said of this issue later in the report.

In direct contrast to the maximum-security area, with all its tensions, frustrations, and problems, is the minimum security area. This area is divided into six dormitories, each dormitory having a shower and bathroom facility. Correctional officers can directly observe inmates in each dormitory from a central hall.

Conversations with both staff and inmates in this area revealed no major complaints. Generally, the minimum security area offers more programming activity than the maximum-security area, including such things as movies, hobby crafts, TV, games, weightlifting and supplementary education courses. Correctional officers, both male and female, appeared to be fairly satisfied with their working environment. There appeared to be a consensus on the part of both staff and inmates alike that the atmosphere in the minimum-security area was relatively quiet, subdued, and peaceful.



The female section, housed in the second storey of the Centre, with a usual population of three to six inmates, appeared to be functioning smoothly.

The segregation area of this facility was also visited by our staff. The area can accommodate up to eight inmates - four cells have open grillwork, and four do not. The segregation cells appeared to be of an adequate size and were equipped both with plumbing facilities and a bed. The cells with the solid steel door appeared to be lacking in sufficient ventilation. However, compared with segregation cells in other provincial institutions, these appeared to offer at least the bare necessities for human existence.

After interviewing inmates and correctional staff in this institution - and especially those in the maximum-security area during our initial November visit - there was no question in our minds that the atmosphere in the maximum security area was volatile, tense and potentially dangerous. Pressures of living and working in the maximum-security conditions were evident in both the verbal and visual expressions of staff and inmates.

Conversations with representatives from the Ontario Public Service Employees' Union only served to reinforce some of the concerns that correctional officers had been complaining about, for example, the lack of staff training, the heavy reliance on casuals, and the tremendously high noise level in the maximum-security area.

After our initial visit, we were gravely concerned about the future stability of this institution. We suspected that the Ottawa-Carleton Detention Centre would again face serious problems and disturbances and, therefore, our only option was to closely monitor the situation and attempt to deal with and ameliorate some of the concerns of both inmates and staff.

In January, 1976, a team of Investigators was dispatched to the detention centre in order to deal with inmate complaints and concerns, and to formulate an opinion as to the possibility of further disturbances in this institution.

During the January visit, Investigators took the opportunity to speak to inmates who were directly involved in the September riot and inmates who did not participate but who were present in the maximum-security area at the time of the riot. From these conversations, we concluded that the riot was the culmination and ultimate explosion of tensions sparked by a number of incidents, circumstances and events.

Among these events was the death of an inmate in April, the shooting of two correctional officers when six inmates escaped from the maximum-security area in June, the alleged beating of an inmate shortly thereafter, the reduction in inmate privileges in the maximum-security area, the non-existent recreational facilities available to maximum-security inmates, tension generated by remand prisoners who

had been awaiting trial for several months, and alleged inconsistency in the application of rules and regulations by correctional staff.

Again, the administration and correctional staff were attempting to cope with further inmate disturbances such as the smash-up early in the new year, which occurred prior to our visit of January 12, 1976. Institutional officials were struggling in an attempt to repair the damages caused during the riot to put the institution back into some semblance of stability.

Inmates were complaining again about lack of recreational facilities and cold food. Remand prisoners complained about having to succumb to the same rules and regulations of sentenced prisoners and they complained that they could not sit down with senior administrators and discuss their problems and frustrations on a day-to-day basis. With the additional frustration and tension in the institution, several inmates slashed their arms in an apparent desperate attempt to protest against their treatment and their general living conditions.

At this time, our Investigators were of the opinion that the situation in this detention centre was still volatile and that further disturbances or possible assaults on correctional officers could take place at any time.

A few weeks later, our suspicions were confirmed when two inmates took a correctional officer hostage, again apparently to point out how totally frustrated they were with their immediate living environment. Fortunately, the situation was defused without serious incident. Subsequent to this, several recurring visits were paid to the institution by Investigators, by the Director of Institutional and Special Services, Ellen Adams, and by Mr. Arthur Maloney, Q.C., the Ontario Ombudsman.

All of these visits were conducted with the intention of ameliorating and hopefully rectifying some of the concerns of both staff and inmates. Much of our time was spent dealing with individual inmate complaints and bringing these before the administration for explanation and possible rectification. Our involvement in this institution and our attempt to improve inmates living conditions was acknowledged in the following letter to our office dated March 27, 1976:

"Dear Ms. Adams:

I am writing this letter to thank you, and the Investigators from your office for your concern and help for the inmates of the Ottawa Regional Detention Centre.

"We feel that the presence of your Investigators and the work that they did do played a major role in helping to

alleviate what we considered a "severe situation" which existed in this institution throughout the fall and most of the winter of this year.

"There is still much room for improvement, but the tension has eased up considerably. I would attribute alot of this to an effort being made by the administration - specifically a Mr. Robert, Deputy Superintendent - to humanize the system. We now have limited sports, a few games, hobby craft on request, a new canteen system, and most important, a new procedure in feeding.

"The place is still no picnic, but it's better than when we last spoke [he refers to the November, 1975 meeting].

"As I stated earlier, this thank-you is from many of the inmates here, especially those of us who are considered "long-term" and have been here anywhere from seven to 14 months. We appreciate your help, and please pass on our gratitude to [Investigator] Byron Pulsifer, and of course, Arthur.

Yours truly,"

[Inmates at the Ottawa-Carleton Detention Centre; inmate signatures have been deleted to protect confidentiality.]

Visits to the detention centre in April and May, 1976, demonstrated to our office that there appeared to be much less tension in the institution, that correctional officer morale was on the upswing, and that there did not appear to be any immediate danger that the institution would be plagued by another riot. As we saw it, this change in atmosphere was a result of the following improvements:

- a) The riot damage was repaired in the maximum-security area, thus allowing the institution to return to some state of normalcy and to increase the level of security.
- b) An apparent change in attitude by correctional personnel by which limited programming was introduced for the inmates in the maximum-security area.
- c) Food service delivery to the inmates in the maximum-security area had been scrutinized by senior officials and a definite attempt was made to improve upon the quality of service.



- d) Staff training and development was conducted by senior officers from other institutions in Ontario sent to the Ottawa-Carleton Detention Centre. This served to help reduce senior correctional officers' concerns about supervising inexperienced staff and served to begin the process of alleviating inconsistencies in the application of rules and regulations.
- e) Senior administrators in the institution had begun to curtail the use of day rooms in the maximum-security area so as to reduce the possibility of any inmate or group of inmates inciting problems that would spread to inmates in other day rooms. Inmates were being housed in hallways of the wings, which served to increase staff control of inmates and also served to drastically reduce the noise level in the maximum-security area.

During the course of our conversations with senior administrators in the institution, we were informed that the Ministry of Correctional Services had approved specific renovations to the maximum-security area that would improve security and provide suitable accommodation for medical services and activity programs.

As a result of several visits, our concerns were focused on the following areas:

- a) the excessive number of remand prisoners awaiting trial, some logging long periods of "dead time";
- b) the lack of meaningful activity programs, especially for the maximum-security inmates;
- c) the question of properly handling the influx of intermittent prisoners on weekends so as not to overburden or overcrowd the maximum-security area;
- d) the concern regarding the poor physical design of the maximum-security wing;
- e) the staff's concern regarding poor perimeter security.

As part of our update report in 1976, discussions were held with the institutional physician to ascertain whether there were any problems in the medical or dental area of this institution. We were very pleased to learn that the institutional physician is given excellent support and co-operation from the present institutional administration.

Although the institutional physician has a very hectic week, often seeing some 70 inmates, this did not appear to present any problem. In light of recent research articles concerning the negative ramifications of Diazepam, the institutional physician has also seen fit to severely curtail the use of this drug. Generally, it would appear that he has gradually reduced prescriptions of all tranquilizers and sedatives and does not feel that this has presented any medical problem within the institution.

One area that is still of concern is dental care for inmates in detention centres, particularly remand inmates. It would appear that under present policy, it is difficult to obtain authorization to do restorative dental work for remand prisoners. At the same time, there does not appear to be any shortage of proper medical facilities within this institution. Notwithstanding the need for definite dental guidelines for remand and short-term offenders, the medical area appears to be functioning in a very acceptable manner.

One of our previous concerns was that of staff training and development, especially orientation for new correctional officers. The senior administration has been able to appoint an Assistant Superintendent in charge of staff training and development within the institution. Presently, the staff training program provides a basic orientation of staff training for correctional staff incorporating one week of classroom instruction followed by one week of on-the-job practical experience under the guidance of the Assistant Superintendent. We view staff training as a very important ingredient in the proper functioning of any institution, and it would appear that this particular concern has been positively supported by the new institutional administration.

Despite some limitations, the staff training officer is striving to initiate on-going programs for correctional staff in such areas as applied psychology, first aid training, and programs in liaison with the local police and local fire departments to train correctional officers in the securing of evidence and in basic fire-fighting techniques. We are certainly supportive of any move to increase the training and flexibility of all correctional staff. If this program continues to orient new officers to the correctional facility, it can only serve to increase their effectiveness and consistency of approach - two variables necessary for proper management.

From its inception, the maximum-security area of the detention centre has presented very unfavourable working conditions, partly a function of the poor physical design and which has constantly impeded effective control of the inmate population. The physical design has further limited the administration's ability to provide more programs for the maximum-security inmates. However, being fully aware of our concerns regarding the possible volatile

situation, we were more than relieved during the course of our visits to find that the tension in the maximum-security area had been greatly reduced.

This reduction in tension can be attributed to the new administration's ability to adapt to a situation and make the best of what they had to work with. The renovations to the maximum-security area are being carried out. (We cannot make explicit reference to changes in the internal design because of the concern for security.) Notwithstanding this, senior administrators have designed a graduated inmate movement system that allows for greater flexibility in giving privileges to those inmates who can demonstrate responsible behaviour. Furthermore, through using effective management techniques, the administration has curtailed use of the day rooms that have in the past precipitated many problems by securing the inmates in the hallways of their wings.

Although the new administration has done an admirable job in controlling and working with the inmate population, the renovations in the maximum-security area are of the utmost importance. With the additions and renovations to the maximum-security wings, administrators and correctional officers feel that existing problems will be greatly reduced. Furthermore, our concern for the lives of inmates who must, for various reasons, be given protective custody, would appear to be adequately considered in the proposed renovations to the maximum-security wing. We can only encourage the Ministry to carry out these alterations with the greatest haste.

One of our previous concerns was the poor perimeter security of the institution. This was brought to our attention by both administration and correctional officers alike. As we stated earlier, seven inmates escaped from the institution through the perimeter fence exactly as both administration and officers felt it would occur. Apparently, the Ministry is attempting to rectify this situation by constructing a wall across the maximum security exercise areas. We were also told that despite the fact that the escape by the seven inmates occurred on October 3rd, 1976, as of October 12th, the perimeter fences cut during the escape had not been repaired. As a result, part of the exercise facilities were unavailable to the inmate population and this was beginning to upset inmates as it disrupted the exercise routine of many of the corridors. Both the fact that the fence was not repaired and the need for increased perimeter security served to indicate that much-needed repairs and renovations within this institution take far too long to be attended to. This is an untenable situation, and is one that has apparently beset the institution since its opening.

Correctional officers are currently under the guidance of an Assistant Superintendent assigned to the maximum



security area. Under his supervision, attempts are being made to increase the consistency of the application of rules and regulations, and to provide a resource person and a support person to the middle managers directly responsible for supervision of the wings.

From our conversations with officers in the maximum-security area and with shift sergeants, we can report that as of October, 1976, the correctional officers' morale was high. There did not appear to be the same tension or frustration that characterized so many conversations of the past. There appeared to be an acceptance of the reporting lines, and proper channels of communication appeared to be open so that the officers could ventilate any problems that they had.

Although the maximum-security area is made up of a majority of officers with two years experience or less, there did not appear to be any problem with such officers because of the staff training orientation program, and because of the direction provided by more seasoned sergeants in the area. We were also pleased to learn that the number of casual staff had been drastically reduced, probably making up no more than 3 - 5 shifts per week. Therefore, unlike past shift rosters, trained correctional officers were always in charge of the maximum-security area, rather than inexperienced part-time officers.

Inmates in the maximum-security area told us in October, 1976, that they felt much more comfortable and secure than they had in the past. Some of these inmates were present during the riot of September, 1975. Their main concerns appeared to be the lack of recreational facilities, the length of time they had to spend on remand, and the fact that the food, on occasion, still came to them cold. The problem with the food may be rectified soon because the administration is exploring the possibility of using steam serving trays to curtail this problem in the future. However, the problem with remands and the lack of meaningful recreational activities still remains.

Proper recreational facilities are of even greater necessity in this centre because of the length of time inmates remain in this institution. A healthy diet of physical exercise - the ability to constructively channel inner hostility and tension - can only increase stability within the institution. Manifestly, if inmates have a mechanism by which they can constructively release emotion, they will be less likely to act out their aggression on government property or worse, on their fellow inmates or correctional staff.

We feel that money spent on a gymnasium and its proper outfitting would be money that has been previously spent to cover the cost of smash-ups and riots. But this is not to say that a gymnasium would be the panacea for every problem

in the institution. It is only one proposal, which, if properly combined with the constant attempt to improve food, access to professional service, and elimination of the remand situation, could positively contribute to overall stability.

Earlier, we mentioned that the influx of intermittent prisoners coming into the institution on weekends overburdened the already tense and overcrowded conditions. Sometimes intermittents had to be housed in the maximum-security area because of lack of space in the minimum-security area. Within the past few months, senior administrators have attempted to rectify this problem by housing both the intermittent sentenced prisoners and the temporary absence program prisoners in a separate area, removed from both the minimum and the maximum-security areas. This has also tended to reduce the amount of contraband available to the inmates in the maximum and minimum-security areas.

Prior to our October, 1976 visit, the minimum-security area appeared to be a very stable and peaceful environment. However, there appeared to be a change in this atmosphere as a result of a number of variables. It appeared that certain middle-management adopted differing correctional philosophies and created some inconsistency in the application of rules and regulations in the institution. Although there appears to be a good deal of continuity and consistency within shifts, there appears to be a good deal of inconsistency between shifts depending on the individual approach of the shift supervisor. Although some of the correctional officers felt that there was a breakdown in communications, discussion with senior administrators have shown that they are more than available for any meetings with these personnel at any time.

We also had concerns upon previous visits to the centre about the female section of this institution. Originally, we felt that the unused space in the female section could be put to better use. The usual female population was from 3 - 6 inmates, thus there was much unused space.

On our October visit, we found that the entire office staff - including the clerk of records and the T.A.P. Supervisor - had moved up to the female area on the second floor and had taken over a former dormitory as the office. Another dormitory was then occupied by the Assistant Superintendent in charge of staff training and development. This provided a better use of space although it altered the number of beds available for female prisoners. Currently, the female section can accommodate 10 females with 2 segregation cells.

Ironically, this area had been the least populated, but it recently began having to accommodate between 10 and 16 females on a fairly regular basis. There also appeared to

be a lack of programs for female prisoners, partly a result of the fact that in the past there were so few inmates to work with. However, the head matron was attempting to involve the community in offering more programs to the female prisoners.

As part of our investigation into the Ottawa-Carleton Detention Centre, we also met with representatives of the Ontario Public Service Employees' Union. The administration and the Union meet together on a regular basis to negotiate issues of concern to the correctional officers and this appeared to be a very positive endeavour, and one which the Office of the Ombudsman whole-heartedly supports.

The Union representatives had several suggestions that they felt would greatly alleviate some of the concerns of the correctional officers in the detention centre. First, they felt that there was a definite tardiness on the Ministry's part regarding the completion of necessary renovations. We feel that the Ministry should respond to such requests with greater speed.

Second, they suggested that the Ottawa-Carleton Detention Centre was short of correctional staff and the complement should be increased.

Third, they were concerned about the future of the institution in relation to the continually rising inmate count. They suggested that the Ministry of Correctional Services engage itself in long-range planning in order to keep abreast of the steady increase in inmate population.

Fourth, they were very concerned about the remand situation in the detention centre. They suggested that the court system should be streamlined so that more inmates could be processed and that inmates under federal jurisdiction could be transferred to penitentiary if their trial dates have been set for some time in the future.

Fifth, they suggested that remands could better be accommodated in another setting, possibly, in the old Nicholas Street Jail.

Sixth, they said they would support any move to establish a court facility in the Ottawa-Carleton Detention Centre so that inmates would not have to be transported daily to city courts.

Finally, they felt that it would be beneficial for a representative from the minimum-security area to sit on the internal classification boards in the maximum-security area to help decide who should be transferred from maximum to minimum-security.

The Office of the Ombudsman disagrees with this suggestion to formally include a representative from the minimum-security area with such boards, but we feel that increased informal liaison between personnel from the two areas could assist in the proper classification of inmates in the centre.



Conversations with the Superintendent and the Deputy Superintendent by our Investigators focused on some of the recurring problems peculiar to this institution. In reference to the staff complement, the Superintendent felt that there was sufficient staff to operate the institution properly and securely. Senior administrators appeared to be very supportive of staff training and development for new correctional officers and suggested that this had contributed to a much more relaxed and confident work setting for correctional officers, especially in the maximum-security area. The senior staff appeared to be aware of the problems in the institution and were very anxious to see that the renovations to the maximum-security area were completed as soon as possible.

They suggest that when the renovations were completed, including the perimeter wall, the institution should not experience the kind of problems that have plagued this institution in the past.

Generally, in October, 1976, senior staff conveyed the impression that they felt things were definitely improving at the Centre. In terms of the recent escape of seven inmates, it was the opinion of the senior staff that the escape was not related to any problems in the internal functioning of the centre, but was instead made possible by the poor perimeter security. They were also very supportive of their middle-management and correctional officers, and said that they felt that they had a very competent staff and that the institutional morale was on the upswing.

### General Conclusions

Our conclusions on the Ottawa-Carleton Detention Centre are based on several visits to the institution, correspondence with inmates, conversations with senior Ministry personnel, and with senior administrators, Assistant Superintendents, shift sergeants, the head matron, the chef, the TAP supervisor, the classification supervisor, the clerk of records, several correctional officers, the doctor, union representatives, and inmates from both minimum and maximum-security areas.

As of October, 1976, the overall operation at the Ottawa-Carleton Detention Centre appeared to be vastly improved compared with any other time that staff from our office visited the institution. There was much less tension in all areas of the institution, and the morale of the staff appeared to be much higher, particularly in the maximum-security area where most of the problems of the past occurred.

Senior administrators appeared to be fully aware of their circumstances and problems and had a fairly clear idea of what moves were required to continue to improve the functioning ability of the centre.

They felt, however, that the extremely poor physical design of the maximum-security area of this institution continued to be a major contributor to internal problems. In addition, the October, 1976 escape of seven dangerous inmates can only be attributed to the lack of adequate perimeter security.

Few meaningful internal structural changes had been implemented to October, 1976, and the increased control of the inmate population is a reflection of the administration's ability to adapt and to cope with the problems at hand.

The maximum-security area of this institution appeared to be functioning in a much more satisfactory manner than at any time in the recent past. This improved functioning may be attributable to several variables, including the staff training and development of young correctional officers, and the reorganization of inmates on a more rational graduated privilege basis. In addition, because of a number of administrative decisions, staff orientation, and positive management support, there appeared to be a greater cohesiveness developing among staff in the maximum-security area.

In the minimum-security area, however, some inconsistency in the correctional philosophy was evident. The cohesiveness of correctional staff evident in the maximum-security area was not as pronounced among staff in the minimum-security area. This may be attributable to a sometimes forgotten variable which takes into account that it may be more difficult to deal with large groups of people in open settings rather than those in a locked setting. That is to say, that there may be some unrecognized frustration in the minimum-security area when correctional officers have to constantly interact with the inmate population. Further, part of the uneasy feeling may have related to the fact that senior administrators had been, out of necessity, preoccupied with attempts to control the extremely volatile situation in the maximum-security area, and therefore had little time to co-ordinate or to concentrate energies on the organization of the minimum-security area.

Once renovations are completed in the maximum-security area, this should relieve the pressures on the senior officers so that they can devote more time to the minimum-security area.

The addition to the staff of a staff training and development officer appeared to have had a significant impact in this institution. It promised the development of a meaningful program of staff training at the Ottawa-Carleton Detention Centre and served to demonstrate that the administration was deeply concerned about preparing its correctional officers for a very difficult task. We suggest the on-going development of the staff training program at the Centre.

We suggest the Union/management relations at the Centre be supported as a mechanism through which pertinent issues of staff working conditions and security within the institution are discussed. However, many of the mutual concerns of the two groups appear to be issues which cannot be resolved within the Centre itself, but depend instead upon the affirmative action of senior Ministry officials. Nevertheless, it is only through discussion and the ability to work together that an institution can effectively work as a team. We therefore strongly support co-operation in personal interaction between Union and management.

The number of remand prisoners in this Centre remained of paramount importance.

Regarding our earlier concerns about the over-use of casual correctional officers and the possibility of their inadvertently contributing to inmate tension for want of proper staff training and supervision, we were pleased to learn that the reliance on casual officers had been reduced.

In coming to these conclusions, among the matters taken into account were the representations made pursuant to section 19(3) of The Ombudsman Act by the Superintendent who immediately preceded the present incumbent.

Section 19(3) of The Ombudsman Act, 1975 states in part,

" ... If, at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel."

On Wednesday, November 2, 1977, a hearing pursuant to Section 19(3) of The Ombudsman Act was conducted at the Office of the Ombudsman. The former Superintendent of the Ottawa-Carleton Detention Centre was present and was questioned by the Ombudsman, Mr. Arthur Maloney, Q.C., and made the representations hereunder noted. Also in attendance were Bob Macerollo, Byron Pulsifer and Doug Naish of the Office of the Ombudsman. The former Superintendent attended this hearing in response to the Ombudsman's letter dated October 21, 1977 which reads as follows:

"Dear [name deleted]:

Re: Our File No. 11413-CJL

"My investigation into complaints relating to the problems in correctional institutions is close to completion.

"You acted as Superintendent of the Ottawa-Carleton Detention Centre from March 10, 1975 to



December 30, 1976. During this period our investigation indicates the presence in this institution of some factors that might well be the subject matter of comment and recommendation in my final report.

"Section 19(3) of The Ombudsman Act provides as follows:

'The Ombudsman may hear or obtain information from such persons as he thinks fit, and may make such inquiries as he thinks fit and it is not necessary for the Ombudsman to hold any hearing and no person is entitled as of right to be heard by the Ombudsman, but, if at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel.'

"On the basis of some of the facts so far ascertained following a lengthy investigation, I am of the view that it would be open to me to find that staff morale at the Centre was low because of the style of management and leadership provided by the institution's administrators, that there was a communication gap between staff and the administration and inmates and the administration, and that the arrival of a new Deputy Superintendent improved morale because he increased contact among institutional staff and inmates.

"I am of the view that you should be given an opportunity to address yourself to these possible conclusions and recommendations before I come to any final conclusion and make any final recommendation in relation to this investigation.

"I wish to assure you that although, in my opinion, there are grounds based upon the investigation thus far conducted for me to make a report that would justify the above-noted conclusions and recommendations, my views remain open and I await the representations to be made to me by you or on your behalf. If you wish to make such representations in writing or by counsel, would you please let me know within seven days. Due to uncertainties in the delivery of mail, may I suggest that

you respond within seven days by a collect telegram. If I do not hear from you within that time, I shall proceed to make my final conclusions and recommendations.

"I am enclosing a copy of The Ombudsman Act for your convenience.

Yours faithfully,

Arthur Maloney

Encl.

"P.S. You may also wish to respond to this letter by telephone. If, so, please call my private line at [number deleted]."

At the time of his attendance at the hearing, the former Superintendent stated that it was not his wish to be represented by counsel although he acknowledged his right to have counsel present. He made representations both in writing and orally.

He contended that several problems which existed at the Ottawa-Carleton Detention Centre in November, 1975, were already in existence when he assumed the position of Superintendent in the Spring of 1975. He pointed to certain deficiencies in the physical design of the institution from the point of view of security. He gave as examples of these deficiencies an open chainlink fence which encompassed the maximum-security exercise yard and also the lack of reinforcement in some of the cell walls. According to the former Superintendent, these problems contributed to the tremendous tension and pressure which was placed upon the staff to perform duties under extraordinary conditions at the Detention Centre.

He stated that there was a lack of proper recreational facilities such as a gymnasium which would allow the inmates to release tension. In his view, inmates who were being held on remand for lengthy periods had no alternative method of releasing their tension other than to cause physical damage to the institution.

The former Superintendent attributed much of the blame for the disturbances at the Detention Centre to the large number of inmates from federal penitentiaries who were serving lengthy sentences and had substantial criminal records.

He stated that between November, 1975 and October, 1976, as a direct result of his personal intervention and in conjunction with his management team, many of the long-standing problems were rectified which resulted in the Ottawa-Carleton Detention Centre becoming a "top-notch facility." He stated that the addition of a resourceful

Deputy Superintendent was partially responsible for achieving the improvement at the institution which had occurred by October of 1976. However, he indicated that these improvements were accomplished under his tutelage. (The former Superintendent remained in his post until December, 1976.)

He concluded his representations by stating that his departure from the Ottawa-Carleton Detention Centre coincided with his own perception that the job which he had been sent there to do had been accomplished and that his Deputy Superintendent was then capable of maintaining a firm administrative approach.

As already indicated, the Ombudsman carefully considered his representations which were made both in writing and orally on November 2, 1977. Notwithstanding the representations made by the former Superintendent, the Ombudsman remains of the view that the leadership provided by the Superintendent and the channels of communication between the staff and the Superintendent were poor and inadequate. These factors in addition to the lack of programs and facilities for inmates, the inconsistency in the application of rules, regulations and privileges affecting the inmates, and the perception of the inmates of a reluctance on the part of the Superintendent to deal personally with them, caused a serious morale problem at the institution. This morale problem was of such a nature that the Ombudsman was and still is of the opinion that the appointment of a new Superintendent was in the circumstances a wise decision.

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT THE MINISTRY TAKE STEPS TO ENSURE THAT THE ALREADY-APPROVED ALTERATIONS TO THE CENTRE TO UPGRADE ITS PERIMETER AND INTERNAL SECURITY PROCEED WITH DISPATCH; AND
2. THAT THE MINISTRY TAKE IMMEDIATE STEPS TO ESTABLISH ANOTHER COMMUNITY RESOURCE CENTRE TO SERVE THE OTTAWA-CARLETON DETENTION CENTRE FOR ITS TEMPORARY ABSENCE PROGRAM INMATES; AND
3. THAT THE MINISTRY INSTITUTE A SPECIAL INITIAL AND ON-GOING IN-SERVICE TRAINING PROGRAM FOR CORRECTIONAL STAFF AT THE INSTITUTION. (In June, 1977, we were informed that the Centre has a C.O.4 acting as a training officer, although his position was on an "average" basis.) AND
4. THAT ALL INCOMING INMATES BE MADE AWARE OF THE INSTITUTION'S RULES AND REGULATIONS AND THE PENALTIES ATTACHED TO ANY BREACH OF SUCH REGULATIONS. (In June,



1977, the Ministry informed us that all incoming inmates were being given the Ministry's Information Booklet. In addition, corridor operation rules and regulations were posted in inmate day rooms for their reference.) AND

5. THAT, IN ORDER TO RELIEVE INMATE TENSION AND BOREDOM, THE MINISTRY CONSIDER THE CONSTRUCTION OF A GYMNASIUM FOR THE USE OF INMATES. THIS FACILITY WOULD ALSO SERVE AS A TRAINING AND MEETING AREA, BOTH FOR STAFF/MANAGEMENT MEETINGS, AS WELL AS FOR OUTSIDE VOLUNTEER GROUP MEETINGS WITH INMATES; AND
6. THAT, BECAUSE TWO OF THE FOUR EXISTING INTERVIEW ROOMS ARE INSECURE, THE MINISTRY SECURE THESE ROOMS TO ALLOW FOR ADDITIONAL SPACE FOR INTERVIEWS BY PROFESSIONALS (SOCIAL WORKERS, LAWYERS, PROBATION OFFICERS, ETC.) WITH INMATES; AND
7. THAT, BECAUSE THE SEGREGATION CELLS ARE EQUIPPED WITH SOLID STEEL DOORS, THE MINISTRY EXAMINE THE POSSIBILITY OF INSTALLING SOME KIND OF VENTILATION SYSTEM INTO THESE CELLS; AND
8. THAT THE MINISTRY MAKE ARRANGEMENTS WITH THE UNIVERSITY OF OTTAWA AND/OR CARLETON UNIVERSITY AND/OR ALGONQUIN COLLEGE TO ESTABLISH AND IMPLEMENT A MEANINGFUL RECREATION PROGRAM AT THE CENTRE.

QUINTE REGIONAL DETENTION CENTRE

GENERAL

The Quinte Regional Detention Centre, opened in 1971, is located in Napanee, about 135 miles east of Toronto. It has a capacity of 96 male and 6 female inmates.

As of October 5, 1976, the centre's official staff complement included 13 management and 42 correctional personnel.

Our observations of this centre began in November, 1975, and have continued to date.

INMATE POPULATION

October 31, 1974-----	54
November, 14, 1975-----	86
January 27, 1976-----	98
October 5, 1976-----	94
January 27, 1977-----	103
July 22, 1977-----	98

During the first fiscal year ended March 31, 1977, the centre held an average of 97 inmates daily. The greatest number held was 125 and the least number held was 57.

On the basis of the above figures, it is apparent that the Quinte Regional Detention Centre is not normally faced with an overcrowding problem, but it is also obvious that the centre is rapidly approaching its optimum inmate capacity level, and may soon have to house more inmates daily than it was designed to accommodate.

Remand Prisoners

In mid-November, 1975, 22 of the centre's 86 inmates were on remand awaiting bail, the setting of a trial date, or trial.

On October 5, 1976, 13 of the centre's 94 inmates were on remand.

According to a special study completed by the Ministry of all remand prisoners as of October 25, 1976, the centre had 37 such inmates as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
6	less than 1 week
4	1 week
5	2 weeks
7	3 weeks
5	4 weeks
1	5 weeks
2	6 weeks
5	8 weeks
1	12 weeks
1	13 weeks

### Court Transfers

During the week of October 4-8, 1976, 68 inmates were processed and transferred from the centre to local courts.

### Intermittent Inmates

In mid-November, 1975, 6 of the centre's 86 inmates were serving intermittent sentences. There were no such inmates on October 5, 1976.

On January 27, 1977, 12 of the centre's 103 inmates were serving intermittent sentences.

### Community Resource Centre

The Quinte Regional Detention Centre is served by Aberdeen House, a Community Resource Centre located in Kingston. The centre, taken over from the Federal Government's Canadian Penitentiary Service, can accommodate 15 inmates, and is operated by a Kingston community group.

### Future Building and/or Renovation Program

The Ministry is currently reviewing its plans prior to tendering an air-circulating project with an estimated cost of \$345,000, and an office addition project which is also estimated at \$345,000.

As well, there were three projects on the Ministry's Major Capital Program which were grouped with several other plans on the lowest priority level. These included (i) the construction of a \$350,000 carpentry shop, (ii) the construction of a \$210,000 greenhouse, and (iii) the expenditure of \$1.347 million to improve the centre's inmate program facilities.

In addition, the Ministry planned to build a 20-foot high pre-cast concrete wall to augment the chain-link fence which now encloses the centre's maximum-security section.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 70-bed addition to the Quinte Detention Centre by 1986 and the construction of a new 100-bed detention centre in the Kingston area.

Long-term inmate population figures computed by the Ministry indicated a need for 173 inmate beds by 1986 and 279 inmate beds by 2001. The current official capacity of the Quinte Detention Centre is 102 inmates.

Of the 36 Ministry facilities dealt with in the plan, the Quinte Detention Centre addition and the new detention centre were prioritized as 20th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends,



they were projecting that the number of inmate beds required at the Quinte Regional Detention Centre by 1986 would be 93.

The current capacity of the institution is 102 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

The Ministry no longer plans to construct an addition to the centre nor does it plan to build a new centre in the Kingston area.

## STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent

Assistant Superintendent

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	7/41 (1:5.9)	9/40 (1:4.4)
Actual M/C Complement	7/41 (1:5.9)	9/40 (1:4.4)
Official Inmate Capacity	102	102
		...con'd...

\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

[con'd]

	<u>Oct. 31/75</u>	<u>Jan. 27/77</u> *
Official C - Inmate Ratio	1:2.5	1:2.5
Actual Inmate Population	79	91
Actual C - Inmate Ratio	1:2	1:2.2

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Quinte Regional Detention Centre spent \$48,219 for staff overtime, and an additional \$148,122 for casual employees. The total additional salary expenditure for the year was \$196,341, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 16.9 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 34 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 17.

(In December, 1977, the Ministry informed us that the Correctional Officer complement would be increased by 5.)

#### Correctional Officer Turnover

As of January 27, 1977, the Quinte Regional Detention Centre had 40 correctional officers on staff.

- 5 (12.5%) had less than 2 years experience.
- 15 (37.5%) had between 2 and 5 years experience.
- 20 (50%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Quinte Detention Centre lost 30% of its correctional staff through separations and in 1976 it lost 4.6% for the same reason. Based on these figures, the Centre was suffering, in 1975, from an excessive staff turnover rate.

## SECURITY

### 1. Escapes

There were three escapes during the three fiscal years 1973 to 1976. The inmates were recaptured. \*

### 2. Inmate Damage

Our visits to this institution and our conversations with administrators, correctional officers, and inmates, as well as our study of two Ministry inspection reports, show that the amount of inmate damage to the facility has been negligible.

The damage situation at Quinte is also low, no doubt, because two Ministry of Government Services employees are on duty at the centre full-time, and, except with problems associated with obtaining needed parts, they are able to attend to all but major repairs.

### 3. Deaths

During the two-year period ending in mid-November, 1975, there were 2 suicide attempts, but no deaths, at this institution.

### 4. Hostage-Taking Incidents

The Superintendent informed us that there have been no hostage-taking incidents at the Detention Centre.

### 5. Current Security Problems

During our visits to this centre since 1975 and our conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

According to a Ministry inspection of this institution, carried out from September 27-29, 1976, there were no major security problems at the institution.

An earlier inspection report, completed in October, 1975, arrived at the same conclusions with respect to security matters.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.



## SEGREGATION

The Quinte Detention Centre had six segregation cells as of October 5, 1976, and all were in use on that date. During the six month period ending October 5, 1976, 199 inmates had been placed in segregation, 92 for disciplinary reasons, 80 for medical and other reasons, and 27 for their own protection.

According to our Investigator, the administrators at the Centre use segregation frequently because, in the Superintendent's view, the growing number of young persons who appear to have no respect for the law and who are incarcerated at the centre present behaviour problems. He said he usually prefers to give an inmate an indefinite period of time in segregation to allow an on-going assessment of his attitude.

For serious breaches of the centre's rules and regulations, he said he gives no more than a 10-day segregation sentence with the inmate living on a reduced diet.

## INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, eight originated from inmates at the Quinte Detention Centre. Of that number, two concerned medical treatment, two related to the centre's meals, and one each concerned dental treatment, visiting privileges and the use of segregation.

We have included excerpts from the following letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

Among the letters sent to our office was one from an inmate complaining about the number of letters he was allowed to send and the lack of sufficient weekend exercises. He said, in part,

"I have a mail problem here at Quinte they are not letting my mail go out I hope you can help me with this problem they say I am writing too many letter's a week. You are aloud 2 letter's a week here at Quinte 2 letter's that's not suitable for me if they don't wan't to buy the stamp's I'll buy them and I hope you can understand my writing that's all I have to say...

"OH there's one more thing the yard up. on the week ends they sould let us have one hour a day all we get is 1/2 Hour for exersise that's not enough time that's all for now."

(Our Investigator contacted the Superintendent of the institution, who informed us that he would instruct correctional staff to allow any reasonable number of letters to be submitted for mailing by inmates. The inmate's second concern, the lack of sufficient recreation on weekends, was discussed with several inmates and staff and is the subject matter of a recommendation at the end of this section of the report.)

#### INSTITUTIONAL MORALE

During the period November, 1975, through October, 1976, the staff at Quinte and the Investigators from the Office of the Ombudsman described the staff morale as high.

During the same period, the staff and inmates at Quinte described inmate morale as medium.

#### Conclusions

The factors which contributed to the high staff morale from November, 1975, through October, 1976, included:

- 1) Consistency in the Superintendent's management techniques. Staff members pointed out that he was firm but fair in his decisions and assessments.
- 2) The institution was a well-disciplined, well-kept, extremely clean facility.
- 3) The institution was seldom overcrowded, thus affording inmates a greater opportunity to make use of the facilities.
- 4) There was a great deal of communication between administration and staff.

One problem which was apparent was understaffing. During the fiscal year 1975-1976, almost \$200,000 was spent on overtime and the use of casuals.

Some of the factors which contributed to the medium inmate morale included:

- 1) The cleanliness of the institution.
- 2) The absence of overcrowding.
- 3) The consistency on the part of the institutional staff in its application of rules and regulations.
- 4) The positive rapport between staff and inmates.

Inmate morale could have been higher if some of their boredom could have been alleviated. The most general complaint from inmates was with reference to their desire to have more extensive recreational and activity programs. Aside from a regular daily half-hour exercise period, the inmates were restricted to weightlifting, playing cards and

watching television. Some of the inmates in minimum-security participated in art classes and worked in such areas as the kitchen and laundry. There was unanimous agreement among staff and inmates that the recreational facilities at Quinte were inadequate, especially during weekends, when inmate recreation was restricted further because of a lack of supervisory staff. In addition, there were little or no inmate exercise periods during the weekends.

Our initial team of Investigators described Quinte as a well-disciplined, well-kept, extremely clean institution. With an official capacity of 96 male and 6 female inmates, this institution, during our original November, 1975, visit, held 86 inmates. On October 5, 1976, our investigative staff recorded a total of 94 inmates at Quinte. The Superintendent pointed out that the institution is only occasionally over capacity and that there were certainly no problems with overcrowding.

The most general complaints from inmates were regarding their desire to have more extensive recreational and activity programs because of the rather lengthy delays in the judicial process, which confined them to remand centres such as Quinte. More specifically, the maximum-security inmates appeared to have only a few recreational activities in which to participate.

In addition to these activities, minimum-security inmates participated in art classes, and could work in such areas as the kitchen and laundry. Maximum-security inmates felt that it was just as important for them as it was for the minimum-security inmates to have a full slate of activities to alleviate the boredom which permeates most of the holding and remand centres. After speaking with representative groups of inmates and staff, our Investigators received unanimous agreement that the recreation facilities at Quinte were inadequate. Some staff members said that the building of a gym would greatly enhance the recreation and activity programs.

The minimum-security area offered little in the way of inmate privacy since it was set up in a dormitory arrangement. Inmates in this area were under constant and clear scrutiny by correctional officers via a glass partition. In the maximum-security area there appeared to be much more privacy because each inmate is furnished with an individual cell. Ironically, from the perspective of supervision of inmates, it is very difficult to observe activity in the maximum-security areas. The introduction of partitions in the dormitory settings would allow more inmates privacy, however, it would become more burdensome to maintain supervision in this area. Additional staff would be required if more privacy were afforded in these dormitory settings. Although the inmates in maximum-security had more privacy, they were less free to move around.



On weekends, inmates are not allowed to participate in recreation because, as members of the staff pointed out, there was a limited number of staff on duty. Full-scale recreational activity on weekends would thus jeopardize the security of the institution.

Because the detention centre is relatively new, the general facilities appeared to be adequate. There was good ventilation, adequate kitchen and shower facilities, as well as adequate coverage by professional personnel. It was our assessment that the morale of staff and inmates was reasonably high. Very few inmate complaints came to our attention and, in fact, we were referred to one inmate who refused to leave when he was informed that he would be transferred to another institution.

All correctional officers interviewed emphasized that they were understaffed to the point where it mildly hampered the operation of the institution. However, they also praised the administration as being very supportive of their position and working problems. Inmates stated that the administration was consistent and fair even though few privileges were provided to the inmates that might have been obtained at a comparable facility. A great deal of credit should be given the administration and staff at Quinte for managing this institution so well.

#### CONCLUSIONS AND RECOMMENDATIONS

BASED ON OUR OBSERVATIONS OF THIS CENTRE, WE CONCLUDED THAT IT IS, FOR THE MOST PART, A WELL-RUN INSTITUTION, HOWEVER,

WE RECOMMEND:

1. THAT THE CENTRE'S ADMINISTRATORS TAKE APPROPRIATE STEPS TO INCREASE RECREATIONAL AND ACTIVITY PROGRAMS TO ALLEVIATE INMATE BOREDOM, ESPECIALLY DURING WEEKENDS. (In June, 1977, the Ministry informed us that inmate recreation had been increased since the addition of a second part-time recreation officer. In addition, the centre received approval to make use of casual correctional officers for weekend recreation supervision.)

## WHITBY JAIL

### GENERAL

Whitby Jail, located 15 miles east of Toronto, was built in 1958 and has an official capacity of 58 male and 6 female inmates.

As of October 5, 1976, its official staff complement included 9 management and 25 correctional personnel.

Our observations of this jail began in November, 1975, and have continued to date.

### INMATE POPULATION

The Whitby Jail has experienced an overcrowding problem for at least the last five years as the figures below indicate. All figures were obtained from the Ministry and are as of the fiscal year end of March 31.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	54	54	54	54	64	64
Greatest Number	66	66	72	96	113	123
Least Number	13	24	28	26	43	45
Average	50	43	47	54	77	91

In mid-November, 1975, the jail housed 74 prisoners.

On October 5, 1976, there were 87 inmates in the jail.

On January 27, 1977, the jail housed 98 inmates, and on July 22, 1977, the jail held 80 inmates.

### Remand Prisoners

In mid-November, 1975, 19 of the jail's 74 inmates were on remand either awaiting bail, or the setting of a trial date or trial.

On October 5, 1976, 30 of 87 prisoners were on remand.

According to a special study of remand prisoners completed by the Ministry, as of October 25, 1976, the Whitby Jail held 50 remand prisoners as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
18	1 week
13	2 weeks
9	3 weeks
5	4 weeks
3	5 weeks
2	10 weeks

### Court Transfers

During the week of October 4-8, 1976, 43 inmates were processed and transferred from the jail to the local court.

### Intermittent Inmates

In mid-November, 1975, 17 of the jail's 74 inmates were serving an intermittent sentence.

On October 5, 1976, 2 of the jail's 87 inmates were serving intermittent sentences, and as of January 27, 1977, 6 of 98 inmates were serving such a sentence.

On November 1, 1976, our Investigator reported that the reason for the lower number of inmates serving intermittent sentences was the co-operation between the Whitby Jail's administrators and local judges.

When they were made aware of the overcrowding problems caused by many intermittent inmates being processed in and out of the jail on weekends, the judges adopted a "straight sentence" procedure for convicted persons who might otherwise be given an intermittent sentence. The imposition of a "straight sentence" allows an inmate serving a short sentence and assessed to be a minimum-security risk to be admitted almost immediately to the temporary absence program through the jail's community resource centre, thereby decreasing reliance on the institution's bed-space. This system is similar in intent to that operating for the Peterborough Jail.

### Community Resource Centre

The Whitby Jail is served by the Durhamcrest Centre in Oshawa, a 16-bed capacity Community Resource Centre. It is operated for the Ministry by an Oshawa citizens' group.

### Future Building and/or Renovation Program

The Government had approved plans for a \$3.465 million 80 to 100-bed addition to the Whitby Jail, but it was grouped with several other projects on the lowest level of priority in the Ministry's Major Capital Program. The earliest projected completion date for the addition would have been about 1982.

In the interim, the Ministry had no renovation plans for the Whitby Jail.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 100-bed addition to the Whitby Jail by 1986 and the construction of a new 100-bed detention centre in the Oshawa area by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 149 inmate beds by 1986 and 277 inmate beds by 2001. The Whitby Jail has a current official capacity of 64 inmates.



Of the 36 Ministry facilities dealt with in the new plan, the Whitby Jail addition and the new detention centre were prioritized as 8th.

In August, 1977, we were informed that the new plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Whitby Jail by 1986 would be 92.

The current capacity of the institution is 64 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

Currently, the Ministry is designing a 100-bed \$8 million addition to the Whitby Jail. The Government's Management Board has approved the drawing of such plans and if the project proceeds the new inmate beds will be available in late 1982 or early 1983.

The Ministry no longer has plans to build a 100-bed detention centre in the Oshawa area.

Although the Ministry plans to build a 100-bed addition to the jail, our analysis of the jail's current capacity (64), the average maximum number of inmates during the last six years (89), and the Ministry's projected inmate population in 1986 (92), leads us to believe that a 40-bed addition should be constructed.

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

In 1977 dollars, the cost of such an addition would be \$3.2 million. (The Ministry hopes to reduce its cost-per-inmate-bed from the current \$80,000 to \$55,000 - but if inflationary forces continue, it is unlikely that by 1982 or 1983, when the addition might be opened, the final cost would be substantially reduced.)

#### STAFFING

NOTE: Management = M = Superintendent  
Assistant Superintendent  
C.O. 5 (Lieutenant)  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	6/20 (1:3.5)	7/25 (1:3.6)
Actual M/C Complement	6/20 (1:3.5)	7/25 (1:3.6)
Official Inmate Capacity	64	64
Official C - Inmate Ratio	1:3	1:2.6
Actual Inmate Population	82	92
Actual C - Inmate Ratio	1:4	1:3.7

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Whitby Jail spent \$22,127 for staff overtime, and an additional \$139,381 for casual employees. The total additional salary expenditure for the year was \$161,508, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 13.9 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 14 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 3.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the

Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the Correctional Officer complement would be increased to 32.)

### Correctional Officer Turnover

As of January 27, 1977, the Whitby Jail had 25 correctional officers on staff.

- 9 (36%) had less than 2 years experience.
- 7 (28%) had between 2 and 5 years experience.
- 9 (36%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Whitby Jail lost 7.6% of its correctional officers through separations and in 1976 it lost 7% for the same reason. Based on these figures, the Whitby Jail was not suffering from an excessive staff turnover rate.

### SECURITY

#### 1. Escapes

There were no escapes during the three fiscal years April 1, 1973 to March 31, 1976.

#### 2. Inmate Deaths/Damage

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there had been no inmate deaths or attempted suicides.

There was little incidence of inmate damage to the jail's facilities, and, after a tightening of security, very little contraband was found. No weapons were discovered during the searches of the institution and its grounds.

#### 3. Hostage-Taking Incidents

There have been no hostage-taking incidents in the Whitby Jail, and only two fights between inmates in the six months ending November, 1976.

#### 4. Current Security Problems

During our visits to this jail since 1975, and our conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.



### SEGREGATION

The Whitby Jail has six segregation cells, and one was in use on October 5, 1976. During the six month period ending October 5, 1976, 80 inmates had been placed in segregation, 35 involuntarily for their own protection, 27 for disciplinary problems, and 18 for other reasons. The Superintendent informed us that he communicates with segregated inmates daily.

He also told our Investigator that he is not a great believer in the use of segregation, but when it is used, inmates are usually placed apart from the general population for an indefinite period of time so that a return to the regular section of the jail is dependant on the inmate's attitude.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, six originated with inmates from the Whitby Jail. Of that number, one concerned the use of segregation and one related to the jail's meals. There were no complaints about medical or dental treatment or about visiting privileges.

### INSTITUTIONAL MORALE

During the period November, 1975, through October, 1976, jail staff and Investigators from the Office of the Ombudsman rated staff morale as low to medium.

During the same period both staff and inmates assessed inmate morale as medium.

### Conclusions

The factors which contributed to the low to medium staff morale from November, 1975 through October, 1976, included:

1. The heavy reliance on casual employees. Several of the experienced officers felt that the use of casual employees weakened the security of the facility and disrupted staff team work.
2. The feeling, expressed by some correctional officers, that the institution was understaffed.
3. The institution was almost always overcrowded.
4. There was no on-going staff training program, and many of the officers felt the need for such a program.  
(In June, 1977, the Ministry informed us that from November, 1975, to February, 1977, the Deputy Superintendent had provided 550 hours of staff training.

In addition, the Superintendent recently instituted a weekly meeting between middle-management and front-line correctional officers.)

5. There was a communication gap between the administration and the staff.

The net result of these problems was an excessive use of sick leave by correctional officers. As late as February, 1977, staff problems still existed. Eight correctional officers booked off sick to protest working conditions at the jail.

The reasons for the medium inmate morale included:

1. The low to medium staff morale. The staff-management problems carried over to affect officers' dealings with inmates.
2. The jail's population included a high number of remand inmates, the jail was overcrowded and because of these factors there was a lack of access to the few inmate programs and recreational activities.
3. The recreation officer had not been replaced because of a budget freeze on hiring personnel.  
(In June, 1977, the Ministry informed us that the jail had hired a part-time, 24-hour-a-week recreation officer who would, if required, be used on a full-time basis for short periods of time.)

However, the Whitby Jail is a relatively modern institution which was kept clean and improvements were made at the institution. The Ministry of Government Services installed razor wire around the top of the exercise yard wall. (A small roof top exercise yard had been used in the interim and additional television time was offered in lieu of exercise.)

During our November, 1975, visit, the Whitby Jail was observed to be a relatively modern institution which was built in 1958. Its official capacity was 58 male and six female inmates. In November, 1975, however, the jail housed 74 inmates. It has been reported that inmate counts have totalled up to 90 and 100 at a time. This is another obvious example of jail overcrowding.

One of the original concerns at that time was the quality of the food. A more substantial complaint concerned the lack of an inmate activity program at the jail and the fact that there was no recreational staff. The constant overcrowding precluded a ready access by inmates to the few facilities that were available such as the weightlifting room and art classes. It was the consensus of both inmates

and correctional officers that there were simply too few officers for too many inmates, especially on the weekends when the normally overcrowded inmate population was further swelled with the influx of inmates serving intermittent sentences, to accommodate supervision of recreational activities. Generally speaking, the inmates spent their days confined to the corridor outside their cells with only the opportunity to take part in outdoor daily exercise - weather permitting.

All correctional officers interviewed suggested that an increase in staff complement would provide better inmate supervision at this jail. They pointed out that to compensate for overcrowding casual staff were hired on a regular basis to complement full-time officers many of whom were required to work inordinately long overtime hours. One correctional officer said that he had worked more than 90 overtime hours in one month.

Shortly after our November, 1975 visit, the jail received an increase in staff complement. In our most recent visit to the Whitby Jail, however, we noted that the additional manpower had quickly been absorbed into the daily routine.

Rather than using regular staff on overtime, the institution's administrators had switched to using casual employees to obtain the needed staffing pattern.

In October, 1976, the recreational programs of the jail were temporarily restricted because the Ministry of Government Services had been installing razor wire along the top of the exercise wall. A small rooftop exercise yard was used in the interim but access had to be limited to five inmates at a time causing staff problems in moving the jail's large inmate population. Additional television time was offered to the inmates in lieu of exercise.

The number of intermittent inmates at the jail had been reduced through co-operation with the local judges. A convicted individual (serving a short term and assessed as a minimum-security risk) is now more likely to serve his sentence through direct admission to the jail and immediate placement in the temporary absence program, operated out of the jail's Community Resource Centre.

During our visit, there were rumblings about staff problems. In one instance, an inmate was segregated without the officer filling out an incident sheet, which should have been done according to standing orders. An injury report, dealing with the inmate's facial marks, was not completed either.

Our Investigators were also told of problems between front-line correctional officers and one or two sergeants, and the perception by some correctional officers that their suggestions for improving conditions at the jail were not taken seriously by the Superintendent.



Some correctional officers said, in October, 1976, that staff morale was at a low ebb because they felt they were not receiving as much support as they would have liked from the jail's administrators.

It was our finding that differences of opinion between staff and management tended to produce a negative effect on the operations of the jail and immediate action to resolve the controversy was called for.

To protest the working conditions at the jail, including long overtime hours, the heavy reliance on casuals, and the lack of staff, eight guards booked off sick in February, 1977.

The fact that this incident occurred indicated to our office that the jail's management had not, at that time, been able to overcome the institution's internal staff problems and that the lack of a resolution to the problem(s) was spilling over to negatively affect the jail's day-to-day operations.

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO PROVIDE THE NECESSARY FUNDS TO BEGIN CONSTRUCTION OF A 40-BED ADDITION TO THE JAIL; AND
2. THAT THE MINISTRY TAKE IMMEDIATE ACTION TO RESOLVE THE STAFF-MANAGEMENT CONFLICT WHICH IS NEGATIVELY AFFECTING THE OPERATION OF THE JAIL. (In June, 1977, the Ministry informed us that since the jail's administrators had been allowed to add eight staff members, relations between the staff and management had improved. The Ministry also said that the replacement of most of the jail's middle-management staff had contributed to a decrease in tension among the staff members.)

## HAMILTON JAIL

### GENERAL

The Hamilton Jail, built in 1875, has an official capacity of 69 male and 18 female inmates. Its official staff complement as of October 5, 1976 included 7 management and 54 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

Although we were informed during the course of our investigation that the Hamilton Jail is scheduled to close in early 1978 when the new Hamilton-Wentworth Detention Centre opens, we have included our observations and findings nonetheless because the jail was one of those originally studied and found to present numerous problems for administrators, correctional workers and inmates. It is our hope that this outline of the problems which have existed at the Hamilton Jail will help to avoid similar situations in other jails in the future, but in the meantime the Office of the Ombudsman is pleased that the Ministry will soon close this outdated and often overcrowded institution.

### INMATE POPULATION

For at least the last five years, the Hamilton Jail has operated near or over its official inmate capacity. The following figures, supplied by the Ministry, are all as of the fiscal year end of March 31, and they illustrate the situation between 1972 and 1976.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	142	142	142	96	87	86
Greatest Number	132	132	159	161	189	189
Least Number	73	60	81	112	115	96
Average	119	127	117	141	163	160

As of mid-November, 1975, the jail housed 167 inmates.

On October 5, 1976, the inmate count was 157, and on January 27, 1977, the jail population was 141. On July 22, 1977, the jail held 116 inmates.

### Remand Inmates

As of October 5, 1975, 75 of the jail's 157 inmates were on remand either awaiting bail, the setting of a trial date, or trial.

According to a special study completed by the Ministry of remand prisoners, the jail housed 95 remand inmates on October 25, 1976 as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
39	1 week
11	2 weeks
2	3 weeks
10	4 weeks
3	5 weeks
5	6 weeks
3	7 weeks
2	9 weeks
1	10 weeks
3	11 weeks
2	13 weeks
2	14 weeks
2	17 weeks
1	18 weeks
1	19 weeks
1	20 weeks
1	22 weeks
2	24 weeks
1	25 weeks
1	29 weeks
1	33 weeks
1	42 weeks

#### Court Transfers

During the week of October 4-8, 1976, 91 prisoners were processed and transferred from the jail to the local court.

#### Intermittent Inmates

As of October 5, 1975, 9 of the jail's 157 inmates were serving intermittent sentences.

#### Community Resource Centre

The Hamilton Jail is served by a 16-bed capacity community resource centre for males called the Ellen Osler Home, which is operated for the Ministry by the Salvation Army.

The Jail also has access to community resource agencies operated by the Elizabeth Fry Society and other groups for female inmates, and, by October, 1977, they will have access to another society-operated residence.

#### Future Building and/or Renovation Program

The Hamilton Jail is scheduled to close in early 1978, when the new 200-bed, \$17.1 million Hamilton-Wentworth Detention Centre is due to open. The new centre will house



up to 180 male and 20 female inmates and will also have a 20-bed hospital unit and a 12-bed male security unit.

(In December, 1977, the Ministry informed us that due to the closing of the old section of the Toronto Jail, some inmates will be transferred from Toronto to the new Hamilton-Wentworth Detention Centre. Double-bunking will be required for some inmates. The Ministry informed us that staff complement would be adjusted upward to account for the additional inmate population.)

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a new 150-bed detention centre. It would be expanded to a 300-bed unit by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 321 inmate beds by 1986 and 503 inmate beds by 2001. The new Hamilton-Wentworth Detention Centre has a current official capacity of 200 inmates.

Of the 36 Ministry facilities dealt with in the new accommodation plan, the new Hamilton-area Detention Centre was prioritized as 25th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Hamilton-Wentworth Detention Centre by 1986 would be 167.

The current capacity of the institution is 200 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

## STAFFING

NOTE:            Management = M = Superintendent  
                         Deputy Superintendent  
                         Assistant Superintendent  
                         Senior Assistant Superintendent  
                         C.O. 4 (Sergeant)  
                 Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	10/45 (1:4.5)	10/45 (1:4.5)
Actual M/C Complement	10/44 (1:4.4)	11/49 (1:4.4)
Official Inmate Capacity	86	86
Official C - Inmate Ratio	1:2	1:1.7
Actual Inmate Population	142	141
Actual C - Inmate Ratio	1:3	1:3

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

## Correctional Officer Turnover

As of January 27, 1977, the Hamilton Jail had 49 correctional officers on staff.

15 (30%) had less than 2 years experience.  
17 (35%) had between 2 and 5 years experience.  
17 (35%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Hamilton Jail lost 22% of its correctional officers through separations and in 1976 it lost 31% of its correctional officers for the same reason. Based on these figures, the Hamilton Jail was suffering from an excessive staff turnover rate.

Senior administrators at the jail told our Investigator in October, 1976, that they did not feel the staff turnover rate was unusually high. The Deputy Superintendent attributed the large percentage of new officers to the fact that several older correctional officers had retired recently.

## SECURITY

### 1. Escapes

There were 5 escapes during the three fiscal years, April 1, 1973 to March 31, 1976. The five inmates were recaptured. \*

### 2. Inmate Deaths/Damage

According to the Superintendent, there have been no inmate deaths or attempted suicides at the jail for a number of years. He also informed us that only minimal damage to the institution is caused by inmates.

### 3. Hostage-Taking Incidents

According to the Superintendent, there have been no hostage-taking incidents at the jail.

### 4. Current Security Problems

During our November, 1975 and October, 1976, visits to this institution, and our conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

## SEGREGATION

On October 5, 1976, the Hamilton Jail had three segregation cells, two of which were in use on that day. The Superintendent informed our Investigators that the segregated inmates are checked by correctional staff at least three times hourly.

During the six month period ending October 5, 1976, 109 inmates were placed in segregation. Of that number, 64 were segregated for disciplinary reasons, and the balance were segregated for their own protection either voluntarily or involuntarily.

## INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 16 were received from those incarcerated at the Hamilton Jail. Of the 16, three concerned medical treatment, three concerned the use of segregation,

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.



two dealt with jail meals, and one concerned visiting privileges. There were no complaints regarding dental treatment.

According to our interviews with jail administrators, the medical facilities at the jail were inadequate in view of the large number of inmates. In October, 1976, there were two part-time doctors associated with the institution, and they scheduled their time there in such a way that an inmate "sick parade" was offered seven days a week. There were also three full-time and two part-time nurses in the medical facility.

Dental work, in emergency cases only, and provided the inmate in need was not considered a high security risk, was handled by a dentist in the community.

A psychiatrist visited the jail regularly and was on emergency call when not present, and the jail was located close to a medical centre and a hospital to handle serious inmate medical problems.

We have included excerpts from the following letters received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

Included among the letters sent to our office by inmates of the Hamilton Jail were the following (extracted):

1. A general complaint from a female inmate that the matrons treated inmates like children for making them go to bed at 9 p.m. She concluded,

"I've been in Hamilton Jail a lot of times ever since I've been 16. Now I want out for I have my 3-year old son to think about. Please try to help us. I would really appreciate it.

Yours truly,  
Someone who needs hope and courage."

(Our Investigator met with the complainant, then incarcerated at the Vanier Centre for Women, and she said that she was no longer interested in pursuing her complaints about the Hamilton Jail. We informed her that her comments would, nonetheless, be taken into account when our correctional report was being prepared.)

2. A letter from another female inmate, who commented, in part,

"After we had our interview, I was granted permission to go over to the corridor and explain to the other girls the purpose of your office and how it functions.

"The reaction was really tremendous and just what I hoped it would be. The girls are really enthusiastic and happy that someone is willing to listen to our gripes...

"When girls have been sentenced, they usually go to Vanier or another institution where they are able to work and receive monies for their labour. But, while they are awaiting trial, they may have to wait here for literally months until they find out if they are acquitted or sentenced.

"If they are slated to go to Vanier, some have had to wait for a month or more until they are transported. All this time that a girl has to remain in custody, in jail, she is unable to make any money.

"If she has no family and is from out of town ...she is unable to buy even a few little things that could make life a little more bearable...

"Girls who are held for the Department of [Manpower and] Immigration should not be in jail as they have done nothing criminal and I have seen many girls totally demoralized by the idea that they are in jail.

"Even though I have tried to explain that they are just being kept for a couple of days until arrangements are made for their return home or whatever, the fact remains that they are in jail and [my explanation] does not alter how thoroughly debased they feel."

(This inmate was released shortly after her letter to us, and her comments were retained for use in the preparation of this correctional report. In fact, the Ministry's policy provides that the incentive allowance is payable retroactive to the inmate's date of sentence upon his or her admission to a correctional institution.)

3. Another inmate wrote saying,

"Also, we get no fresh air at all... We should have some exercise program or other such activities... We should also be able to talk to someone during the day, other than an inmate. Anyone who would listen to someone who is really getting down about this situation about the jail...

"We cannot blame the staff for these conditions or lack of facilities, but whoever it is, he should be told. I'm really glad they're trying to improve the situations in the jails. I hope it's a change for the better."

(This complainant was released within two weeks of her writing to us, and her comments were retained for use in the preparation of this correctional report.)

#### INSTITUTIONAL MORALE

From November, 1975, to October, 1976, the jail staff and the investigative teams from the Office of the Ombudsman assessed the staff morale to be high.

From November, 1975 to October, 1976, both staff and inmates assessed the inmate morale to be medium.

#### Conclusions

The factors which contributed to the high staff morale from November, 1975 through October, 1976, included:

- 1) The implementation of administrative policies at the institution were generally supported by both inmates and staff.
- 2) The emphasis placed on staff training and development by the administrators.
- 3) The eagerness of the staff to promptly answer inquiries and complaints by inmates. When a complaint was lodged, the responsibility and accountability for handling the inquiry was delegated to a particular staff member.
- 4) The old jail will be closed when the new Hamilton Jail opens. The staff members are eager to move into the new setting.

The factors which contributed to the medium inmate morale between November, 1975 and October, 1976, included:

- 1) The inadequate visiting facilities.
- 2) The inadequate space for doctors and nurses to conduct proper medical examinations.
- 3) The lack of sufficient space for interviewing.
- 4) The extreme overcrowding and cramped, outdated facilities.
- 5) The necessity of inmates having to use plastic chamber pots when locked in their cells in the evening.
- 6) The lack of enthusiasm on the part of the staff to improve the physical conditions in the jail as the date for the transfer to the new detention centre approached.

Our initial team of Investigators who visited the Hamilton Jail in November, 1975, described this century-old facility as appalling.



The building itself was old, damp and musty, and all available space was used. The official capacity of the jail was 87 but at the time of our initial visit, there were 153 male inmates and 14 female inmates housed at this facility. Approximately 70% of these people were on remand awaiting bail, the setting of a trial date or trial, and the balance were serving jail sentences of up to 90 days or awaiting transfer to provincial or federal institutions.

Among the many problems observed were inadequate visiting facilities, insufficient space for doctors and nurses to conduct proper medical examinations, lack of sufficient space for interviewing, extreme inmate overcrowding and cramped living conditions, and the necessity of inmates having to use ceramic and plastic chamber pots when locked in their cells in the evening because there were no toilets in the cells.

Although this jail is to be closed in the near future, the Office of the Ombudsman finds it appalling that inmates - many of whom are on remand, and presumed innocent until proved guilty - are forced to use chamber pots at night while they are locked in their cells. While our office understands the need for some method of allowing inmates to relieve themselves (because there are no toilets in the antiquated cells), we feel the use of chamber pots in the late 1970's is a mark of the backwardness and uncivilized position in which many of Ontario's inmates find themselves while they are supposedly being detained and rehabilitated by the Ministry.

The male inmates were located in five corridors (cell blocks) and two dormitories. The corridors consisted of what is referred to as a day room, to the right of which are a series of approximately ten cells. The day room has a stone floor with a television at the end closest to the Supervising Correctional Officer, and a toilet at the other end which had a modesty screen in front of it. This screen enabled the guard to see the feet and head of the inmate.

Our office, while recognizing the need for correctional staff to adequately supervise inmates, regards the lack of privacy for inmates while they perform necessary bodily functions to be incredible in the context of modern Ontario society and considers such a lack of privacy to be a negative factor in the rehabilitation of inmates.

There are no chairs or tables in the day room, but there are picnic-style tables in every corridor and dormitory. For television viewing purposes in the day room, foam rubber cushions were provided for floor lounging, however, because of fire and safety regulations, these were removed and replaced with a single blanket for each inmate.

The cells themselves were gloomy and of diminutive dimensions. The possibility of reading in the cells was precluded by the dimness. There are three segregation cells, which were also small and gloomy. The inmates were provided with blankets and given a mattress at night.

Our Investigators reported that there were only three shower heads available for the entire inmate population of 174 people. The showers were in constant use and clearly inadequate for the number of inmates.

In spite of these problems, our Investigators reported that the jail was a very clean institution and the general institutional morale was high. A most important factor observed by our Investigators that seemed to contribute to the generally high morale was the implementation of administrative policies at the institution that were generally supported by both inmates and staff alike.

Another factor was the emphasis placed by the administrators and staff on staff training and development. A program review committee composed of senior jail officials, front-line correctional officers and members of the professional staff had existed in the jail since January, 1975. The purpose of the committee was to initiate and implement a formal in-service training and development program for all staff members. The dual objective was to improve the skills of the officers in their day-to-day functioning and also to prepare the staff for their new responsibilities when the transfer to the new detention centre was to take place. The program operated on a voluntary basis under the supervision of a staff training officer, yet almost 100 per cent of the Correctional Officers attended the training sessions.

Every phase of institutional management and rehabilitation was discussed at these meetings, and the staff was urged to study the blueprints for the new regional detention centre with the view to providing constructive criticisms and suggestions. Aside from the formal in-service staff training and development programme, our Investigators determined that 26 staff members at the Hamilton Jail were taking extra-curricular courses in the community.

Some comments were made, however, that Correctional Officers needed special training to cope with the increasing numbers of apparently mentally disturbed inmates.

A third factor which contributed to reasonably high morale was the apparent eagerness of the staff at the Hamilton Jail to promptly answer inmates inquiries and complaints.

The apparent emphasis at the Hamilton Jail on the rehabilitation, as opposed to the warehousing of inmates, seems to have had positive results with all segments of the institutional population. Our Investigators gained the impression that the philosophy at the Hamilton Jail centred on the effectiveness of a well-trained staff to facilitate communication to and from institutional administrators and inmates.

In other words, an attempt was made to maintain security by relying on an effective and efficient staff rather than relying on stone walls, iron bars, and segregation. It appeared that the Hamilton Jail enjoyed considerable success with such a philosophy. The Superintendent informed our

Investigators that no serious grievance had been presented to the administrators of the jail in the last two years from the staff of this facility.

Virtually all Correctional Officers interviewed at this facility stated that discipline has not deteriorated at the Hamilton Jail. Minimal use of segregation was stated to be one possible factor by several of the Correctional Officers interviewed. As there were only three segregation cells, the staff at this facility were of the opinion that segregation as the ultimate sanction for inmate misbehaviour had to be presented in the most unattractive light possible for the sanction to be effective. Inmates were informed that an infraction that warranted this sanction would result in up to ten days in the segregation cells, on a special diet, with loss of all privileges, and would be followed by an indefinite period of separation from the rest of the inmate population. Release from segregation would depend on modification of attitude. Apparently under these ground rules inmates changed their behaviour quickly. According to the Superintendent, the average length of time spent in segregation by an inmate last year was less than four days. It has been the experience at the Hamilton Jail that the three segregation cells were rarely all occupied at the same time. This policy was encouraged at the jail on the assumption that if the inmates were aware that all the segregation cells are full, then they are much more likely to misbehave.

Our Investigators reported that all institutional administrators and Correctional Officers interviewed stated that they felt safe while working at the institution and none of them were of the opinion that a riot or violence was likely to erupt in the future. This consensus was also shared by virtually all the inmates interviewed.

In view of the appalling conditions at the Hamilton Jail, we were intrigued with this consensus that the eruption of violence or a riot was not considered to be highly probable. We decided to monitor the situation at this facility in the course of subsequent visits by other Investigators from our office.

During those visits, our Investigators observed that the following improvements were implemented:

1. The entire inmate living area had been redecorated using inmate labour;
2. The laundry room had been reconverted into a programming area, and was used for social services, literacy training and recreation (weight lifting);
3. A requisition for 24 more mattresses was approved, thus obviating the necessity of providing a number of inmates with blankets to sleep on the floor.



## CONCLUSIONS AND RECOMMENDATIONS

OUR OBSERVATIONS OF THIS JAIL HAVE LED US TO THE CONCLUSION THAT BOTH ADMINISTRATIVE, PROFESSIONAL AND LINE STAFF SHOULD BE COMMENDED FOR THE EXTRAORDINARY EFFORTS THEY HAVE MADE AND THE IMPORTANT RESULTS THEY HAVE ACHIEVED IN OPERATING UNDER WORKING CONDITIONS THAT WOULD HAVE TESTED THE MOST EXPERIENCED WORKERS IN ONTARIO CORRECTIONAL INSTITUTIONS.

THE EXPERIENCE AT THIS JAIL ESTABLISHES THAT WHEN PROPER AND HUMANE INSTITUTIONAL ATTITUDES PREVAIL, EVEN THE MOST APPALLING PHYSICAL CONDITIONS DO NOT NECESSARILY DESTROY STAFF-INMATE MORALE.

### WE RECOMMEND:

1. THAT THE MINISTRY ESTABLISH A SECOND COMMUNITY RESOURCE CENTRE TO SERVE MALE INMATES IN THE HAMILTON AREA IN LIGHT OF THE INCREASED INMATE CAPACITY WHICH WILL BECOME AVAILABLE WHEN THE HAMILTON-WENTWORTH DETENTION CENTRE OPENS.

## LONDON JAIL

### GENERAL

The London Jail, built in 1843, has an official inmate capacity of 62 male and 8 female inmates. Its official staff complement as of October 5, 1976, included 6 management and 28 correctional personnel. Our observations of this jail began in November, 1975, and continued until this jail, along with those in Woodstock and St. Thomas, closed early in 1977 with the opening of the Elgin-Middlesex Detention Centre.

Although this jail closed during the course of our gathering information for this report, we have included our observations and findings nonetheless because the institution was one of those originally studied and found to present numerous problems for administrators, correctional workers, and inmates. It is our hope that this outline of the problems which existed at the London Jail will help to avoid similar situations in other jails in the future, but in the meantime the Office of the Ombudsman is pleased that the Ministry has been able to close this 134-year old jail.

### INMATE POPULATION

The London Jail operated near, at or above its official capacity frequently since 1972 as the figures below indicate. All figures are as of the fiscal year end of March 31 and were supplied by the Ministry.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	80	80	80	76	70	70
Greatest Number	101	101	109	123	136	119
Least Number	37	42	37	44	68	53
Average	71	87	76	69	94	87

In mid-November, 1975, the jail housed 120 inmates.

On October 21, 1976, it held 89 prisoners, and the population on January 27, 1977, was 93 inmates.

### Remand Prisoners

On November 16, 1975, 43 of the jail's 120 inmates were on remand awaiting bail, the setting of a trial date, or trial. On October 21, 1976, 37 of 89 inmates were on remand.

According to a special study of remand prisoners completed by the Ministry, the jail held 39 remand inmates on October 25, 1976, as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
7	less than 1 week
7	1 week
5	2 weeks
4	3 weeks
5	4 weeks
1	6 weeks
1	7 weeks
1	8 weeks
3	10 weeks
2	11 weeks
2	12 weeks
1	13 weeks

#### Intermittent Inmates

On November 16, 1975, 18 of the jail's 120 inmates were serving intermittent sentences. On October 21, 1976, 16 of 89 inmates were serving such sentences, and on January 27, 1977, 19 of 93 prisoners were intermittent inmates.

#### Community Resource Centre

The London Jail is served by a 12-bed capacity Community Resource Centre, Luxton Centre, which is located in London and is operated for the Ministry by the St. Leonard's Society.

#### Future Building and/or Renovation Program

In April, 1977, the London, Woodstock, and St. Thomas Jails closed and inmates were transferred to the new Elgin-Middlesex Detention Centre in London. The \$14.37 million 172-bed institution replaces three jails with a combined capacity of 114 inmates and (as of January 27, 1977) an actual inmate population of 146.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was an 85-bed addition by 2001 to the recently-opened Elgin-Middlesex Detention Centre, a new 150-bed detention centre to serve the Woodstock-Stratford area by 1986, and a 150-bed addition to that centre by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 336 inmate beds in the London-Woodstock-Stratford area by 1986, and a need for 560 inmate beds by 2001. The Elgin-Middlesex Detention Centre and the Stratford Jail have a current official capacity of 206 inmates.



Of the 36 Ministry facilities dealt with in the new accommodation plan, the new addition and construction for the London-Woodstock-Stratford area was prioritized as 36th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Elgin-Middlesex Detention Centre by 1986 would be 131.

The current capacity of the institution is 172 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

Currently, there are no plans to proceed with the formerly proposed addition to the Elgin-Middlesex Detention Centre or the construction of a new 150-bed centre to serve the Woodstock-Stratford area.

#### STAFFING

NOTE: Management = M = Superintendent  
Deputy Superintendent  
Assistant Superintendent  
C.O. 5 (Lieutenant)  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	7/29 (1:4.1)	20/64 (1:3.2)
Actual M/C Complement	7/29 (1:4.1)	20/64 (1:3.2)
Official Inmate Capacity	70	70
Official C - Inmate Ratio	1:2.4	1:1
Actual Inmate Population	80	93
Actual C - Inmate Ratio	1:2.7	1:5

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

#### Correctional Officer Turnover

As of January 27, 1977, the London Jail had 64 correctional officers on staff.

23 (36%) had less than 2 years experience.

25 (39%) had between 2 and 5 years experience.

16 (25%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the London Jail lost 5.5% of its correctional officers through separations and in 1976 it lost 2.7% of its correctional officers for the same reason. Based on these figures, the London Jail was not suffering from an excessive staff turnover.

#### SECURITY

##### 1. Escapes

There was 1 escape during the three fiscal years April 1, 1973 to March 31, 1976. The inmate was recaptured.

##### 2. Inmate Deaths/Damage

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there were 11 attempted suicides. There were no deaths at the institution during the same two-year period.

He also told us that some contraband found its way into the jail either through outsiders throwing items over the chain link fence around part of the institution, or through windows which are at the street level on one side of the jail.

Because of the physical structure of the aged jail, there was little inmate damage caused to the institution.

### 3. Hostage-Taking Incidents

According to the Superintendent, there have been no hostage-taking incidents at the jail in recent years.

### 4. Current Security Problems

During our visits to the London Jail since 1975, and our conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

### SEGREGATION

On October 21, 1976, the London Jail had four segregation cells, two of which were occupied that day. The Superintendent informed us that he communicates with inmates in segregation daily. During the six month period ending October 21, 1976, 48 inmates had been placed in segregation, 36 for disciplinary purposes, and the balance for their own protection.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 15 originated from inmates of the London Jail. Of that number, seven concerned medical treatment, five concerned the use of segregation, two related to jail meals and one concerned visiting privileges. There were no complaints regarding dental treatment.

We have included excerpts from the following letters received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

Included among the letters of complaint sent to our office were the following:

1. An inmate complained that during our initial tour of the jail in November, 1975, the inmates in his cell block were not allowed to see Ombudsman staff. He continued,

"My biggest grudge would be that there is absolutely nothing to do there which made days drag like you wouldn't believe! Out of all that time (1 1/2 months), we got to see television twice and not more than six hours at most...

"You were allowed to get library books to read or you could play cards. That was it! Sometimes I would lay there and wonder how much longer I could stand it before I went crazy.



"To show you how desperate some of them were for something to do, read on. Six or seven guys got a deck of cards and would see who had the lowest card. Whoever had the highest card went over and got to punch the guy who was unfortunate to have a low card.

"Another night a 'kangaroo court' was held with a judge etc. and two kids with make-believe charges (such as biting their nails) went before them.

"One kid was ordered to take all his clothes off and streak through the cellblock twice.

"He was so scared he did it and meanwhile someone grabbed his clothes and threw them in the hall. After sitting there naked for five minutes almost crying (a 20-year-old man!) they got them back. Only because they thought the guard would see them.

"He was one of the lucky ones. Another boy was made to strip naked and then get on his hands and knees and push a bar of soap across the room. Even though he did it the way he was supposed to, he was then hit with rolled up towels... One guy hit him so hard he drew blood.

"The funny is when I asked a couple of them what they were trying to prove, they simply said, 'Have you got anything else to do?' That sort of sums it up right there...

"I know when you're in jail it's not supposed to be the Holiday Inn, but surely to God the Government can given them something to do...

"Some guys like myself practically begged the guards to let us sweep or mop the hallways, etc...

"I hear a new county jail is supposed to be built in London. Well it's way overdue. I know we've broken the law, but we're not animals! It would be nice to have shampoo to wash your hair. As far as the London Jail is concerned, I feel we're the ones given the injustice. I'd commit suicide before I spent another month there. That's how sick it makes me."

(When our Investigator visited the jail to interview this inmate, he had been released, but our Investigator

noted at the time that the London Jail was unable, because of its antiquated design and overcrowded facilities, to provide adequate recreation for inmates. The inmate's comments were noted for reference with regard to our correctional report.)

2. Another inmate wrote about the effect of staff shortages, saying,

"It is very plain this jail is understaffed. From showers to the handing out of the mail, all we hear is, 'There will be no yard (exercise) today, boys, because there is still people to be showered.' ...And this starts tension between guards and inmates."

(This inmate, when interviewed by one of our Investigators, did not speak about this concern raised in his letter, but had a variety of general complaints about the London Jail, correctional officers, jail administrators, and the criminal justice system as a whole. Our Investigator's follow-up with the jail Superintendent revealed, however, that the jail was short-staffed in the official's opinion and that this was the reason why, at times, yard exercise was often not provided to inmates as often or for as long as the inmate felt it should be.)

3. A third inmate commented on the problems he had in obtaining foot powder and said,

"This may sound minor but it happens with any and everything that happens while you are here, also the shower hasn't got a standard foot bath to fight fungguse growth and there for we suffer with stinky feet..."

"We also think we should be given more recreation and games instead of this very limited amount of exercise at present and cards aren't the most exciting thing that could possibly be happening here."

"But at this present time showers and foot baths and foot powder is a real must under the circumstances...."

In closing, this inmate eloquently put into words the feelings that many prisoners communicated to Ombudsman representatives during this study:

*" ...We are human we made mistakes that got us this unbelievable place why make us suffer in inhuman ways. Thank you for your time but try bringing your body here and have a look so you will know what is really happening."*

(Our Investigator visited this inmate in the London Jail and found that foot powder was being provided, but that, because the jail was to close shortly, it seemed unlikely that funds would be spent to provide adequate foot bath facilities for inmates. The inmate was transferred to a correctional centre about a month after writing to us, and did not complain of similar problems at the other institution.)

4. Another inmate, who opened his remarks by commenting that he had been a juvenile delinquent and had "now graduated to the adult ranks of being a real criminal and a problem to society," wrote saying,

"I caught a dose of crabs in Corridor #5, I ask to see the doctor but was refused and they sent me down some white ointment which was to be rubbed on into my body, then showered off. After three days, it got worse and finally the nurse saw me and I definately have a severe dose of crabs...

"Another instance is the over-populating. In our corridor we have six cells and at the present we have ten people in our corridor so that means we have four people that sleep out (in the corridor).

"When meals are brought around six people sit at the table and four have to sit and eat on the floor with all the butts and filth. You can put your plate on your knees but the bread and desert are on the floor where its cold and damp.

"Also in here you only get two showers a week and you don't receive shampoo or deoradent, just a bar of soap which is of poor quality...

"I believe you know there's no form of rehabilitation within the system and even higher ups have admitted failure in the last 10 years.

"The only form of rehabilitation I know is a man must be committed to a continued determination of a way to think and under these conditions (at the jail) it's impossible. Thank you very much for taking the time to read this letter... "

(When visited by our Investigator, this inmate complained about visiting privileges, medical treatment, the



lack of an inmate canteen, the lack of sufficient food, the inadequate exercise period, and the general lack of recreational facilities. Our Investigator spoke with an institutional official who said that inmate visits had been interrupted twice because of the arrival of bailiffs transferring inmates. The official said the jail nurse was capable of dealing with the inmate's medical problem, that there was no room in the soon-to-close jail for an inmate canteen, that exercise periods were given as often as possible under the circumstances and that games for inmate use in the corridors had been ordered.)

#### INSTITUTIONAL MORALE

In November, 1975, both the staff and the investigative team from the Office of the Ombudsman described staff morale as high. By October, 1976, the morale had declined somewhat.

In November, 1975, and October, 1976, inmate morale was described as medium by both staff and inmates.

#### Conclusions

Despite the fact that this facility was more often than not overcrowded and understaffed, certain factors contributed to the high staff morale in November, 1975, including:

- 1) The supportive administrators who provided leadership and direction to the staff.
- 2) The knowledge that a new detention centre was under construction which would replace the London Jail.

By October, 1976, the staff morale had declined considerably. The factors which contributed to this decline included:

- 1) Apprehension on the part of staff members as they prepared for the move to the new Elgin-Middlesex Detention Centre.
- 2) The curtailing of staff training programs designed to prepare correctional officers for their roles at the new detention centre. The program was curtailed by Ministry officials, much to the dismay of the administration and staff of the London Jail. The correctional officers did not feel that they were receiving adequate training in preparation for the move to the new detention facility.

(In April, 1977, we were informed that the halt in the training program was temporary, and that it resumed shortly

after our October, 1976 visit. The training program, designed to ensure adequate staff preparedness for the move to the new centre, became on-going.)

- 3) The staff members were unhappy about the high number of casual employees used to supplement regular officers.

Between November, 1975 and October, 1976, inmate morale remained at a medium level. Some factors which contributed to this medium morale included:

- 1) The general feeling of individual safety in the institution.
- 2) The lack of sufficient time-consuming activities and the anxiety and restlessness experienced while awaiting the opening of the new detention centre.
3. There were only three showers available for the entire inmate population, but only two of them were operational.

The London Jail was constructed almost 125 years ago. Although its official capacity is 72 male and 8 female inmates, this facility had been constantly overcrowded recently. At the time of our initial visit, the inmate count was 111 males and 9 females. Of these, more than half were remand inmates, awaiting bail, the setting of a trial date or trial. Overcrowding was identified by both staff and inmates as a major problem at this facility. During our initial visit in November, 1975, which occurred on a weekend, an additional 18 inmates serving intermittent sentences were admitted to the jail. Several staff members told us that the average population they must supervise is 100 inmates.

In order to alleviate the worsening overcrowding problem, institutional administrators attempted to transfer many inmates to other custodial facilities in the vicinity, such as the St. Thomas, Stratford and Chatham Jails. According to the staff, approximately one-third of the inmate population did not appear to require the maximum security setting that this jail provided and said that they could probably function well in a minimum-security community setting.

As well as inmate overcrowding, understaffing was the most frequent complaint brought to our attention. In order to deal with this problem, the institution has been forced to employ casual labour to meet its staffing security requirements.

The third significant problem which was evident both at the time of our initial visit and during our subsequent visits was the pervasive inmate boredom which permeated the institution. For example, inmates felt that the recreational and programming facilities were inadequate. We

considered it significant that 11 unsuccessful suicide attempts had been made at this institution in the two years ending in mid-November, 1975.

In spite of a lack of activities, the morale of the inmates was observed to be medium. Not one inmate interviewed said that he did not feel safe at the institution.

Furthermore, it was observed by our Investigators that the morale among the staff at this facility was also generally high at the time of our initial visit. Part of the reason was the supportive administration and the other major reason was the knowledge that a new detention centre was under construction.

During our subsequent visits, we noted that the staff morale had declined considerably. Staff training programs at the London Jail had come to a halt because the sergeant in charge of staff training did not have enough time to devote to this important aspect of institutional management. He was in charge of the Temporary Absence Program, the coordinator of the volunteer programs and was also the coordinator for the jail's Community Resource Centre. The Superintendent also brought to our attention that there had been an increase in the amount of sick leave being taken by Correctional Officers. Earlier, the administration of the London Jail had devised a new training program to prepare the correctional staff for the move to the new detention centre. This program was to have incorporated staff from both the London and St. Thomas Jails, but the program was curtailed by the Ministry. We felt that the curtailment of the training program in preparation for the move into the new facility caused a great deal of apprehension on the part of the staff resulting in a lowered staff morale and an increase in the amount of sick leave taken. (The training program was reactivated in late 1976.)

#### RECOMMENDATIONS

SINCE THE LONDON JAIL (AS WELL AS THE ST. THOMAS AND WOODSTOCK JAILS) CLOSED UPON THE OPENING OF THE ELGIN-MIDDLESEX DETENTION CENTRE IN APRIL, 1977, WE ARE NOT OFFERING ANY MAJOR RECOMMENDATIONS WITH REGARD TO THIS INSTITUTION.

HOWEVER, SINCE BOTH STAFF AND INMATES COMMENTED TO OUR INVESTIGATORS ABOUT THE LACK OF TIME-CONSUMING ACTIVITIES FOR THE INMATES, WE SUGGEST THAT IF THE NEW DETENTION CENTRE IS SHORT-STAFFED AND CANNOT PROVIDE A RECREATION DIRECTOR FOR ITS 172 INMATES, CONTACT BE MADE WITH LOCAL UNIVERSITIES AND COMMUNITY COLLEGES WITH A VIEW TO USING SOME OF THEIR STUDENTS AS VOLUNTEER RECREATION PROGRAMMERS.



## BRAMPTON JAIL

### GENERAL

The Brampton Jail, located 25 miles west of Toronto, was built in 1867 and has a current official capacity of 30 male inmates. As of October 5, 1976, its official personnel complement included 7 management and 20 correctional staff. Our observations of this jail began in November, 1975, and continued until the Brampton Jail closed in July, 1977, and the inmates were transferred to the 200-bed metro Toronto West Detention Centre in Etobicoke.

Although this jail closed during the course of our gathering of information for this report, we have included our observations and findings nonetheless because the institution was one of those originally studied and found to present numerous problems for administrators, correctional workers and inmates. It is our hope that an outline of the problems which existed at the Brampton Jail will help to avoid similar situations in other jails in the future, but in the meantime the Office of the Ombudsman is pleased that the Ministry has been able to close this outdated and overcrowded institution.

### INMATE POPULATION

The Brampton Jail was, from at least 1972, constantly overcrowded. Although its official capacity remained almost constant since 1972, the average number of inmates it was required to house increased yearly. The critical crowding problem in this jail was also made more acute by the increasing numbers of people who were arrested in and around the Toronto International Airport, most of whom were processed through the Brampton Jail.

The following figures indicate the duration and extent of the overcrowding problem. All figures are as of the fiscal year end of March 31, and were supplied by the Ministry of Correctional Services.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	34	34	34	50	30	30
Greatest Number	55	61	60	53	66	71
Least Number	22	20	32	27	N.A.	27
Average	36	47	50	46	58	52

As of October 5, 1976, the prison housed 51 inmates, and on January 27, 1977, there were 46 prisoners in the jail. Although that figure was lower than previous counts,

it was so only because Mimico Correctional Centre housed 29 of Brampton Jail's remand prisoners at its institution.

When the remand prisoners at Mimico are added to those at Brampton, the inmate total became 75 -- almost double the jail's official capacity. In other words, the inmate overcrowding situation at the Brampton Jail would have been even worse than it already was had a number of inmates not been held at the Mimico Correctional Centre.

#### Remand Prisoners

As of October 5, 1976, 22 of the 51 inmates actually housed in the Brampton Jail were on remand either awaiting trial or the setting of a trial date.

On October 25, 1976, according to a special study completed by the Ministry, a total of 52 inmates under the Brampton Jail's jurisdiction (including those housed at the Mimico Correctional Centre's Brampton Jail remand unit) were on remand as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
11	Less than 1 week
9	1 week
7	2 weeks
4	3 weeks
3	4 weeks
4	5 weeks
1	6 weeks
3	7 weeks
1	8 weeks
1	9 weeks
1	10 weeks
2	11 weeks
3	13 weeks
2	14 weeks

Naturally, the fact that the Brampton Jail was forced to house such a large number of remand inmates contributed significantly to the institution's overcrowding problem.

#### Court Transfers

During the week of October 4-8, 1976, 41 inmates were processed and transferred from the jail to the local court.

#### Intermittent Prisoners

As of October 5, 1976, 4 inmates were serving intermittent sentences in addition to the previously mentioned inmate total of 51. On January 27, 1977, the jail had 5 intermittent inmates in addition to the previously mentioned inmate total of 75.

### Community Resource Centre

The Brampton Jail is not served by a community resource centre. (Cuthbert House, a 15-bed centre in Brampton, is operated for the Ministry by The Salvation Army and serves the Brampton Adult Training Centre.)

### Future Building and/or Renovation Program

The Brampton Jail closed in July, 1977, and the inmates were transferred to the 200-bed Metro Toronto West Detention Centre in Etobicoke. The Metro Toronto West Detention Centre, in addition to taking over Brampton Jail's inmates, will also relieve overcrowding pressures on the Toronto (Don) Jail.

Although the jail is closed, Ministry planners project that by 1986 the Brampton area will require space for 97 inmates. For that reason, the Ministry's plans to build a \$14 million 180-bed detention centre on the grounds of the Maplehurst Complex near Milton (replacing the Milton Jail) include the provision of using space in that proposed centre for Brampton-area inmates.

### STAFFING

NOTE:            Management = M = Superintendent  
                         Assistant Superintendent  
                         C.O. 5 (Lieutenant)  
                         C.O. 4 (Sergeant)  
                 Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77</u> *
Official M/C Complement	8/16 (1:2)	7/20 (1:2.9)
Actual M/C Complement	8/16 (1:2)	7/20 (1:2.9)
Official Inmate Capacity	30	30
Official C - Inmate Ratio	1:2	1:1.5
Actual Inmate Population	63	46
Actual C - Inmate Ratio	1:4	1:2.3

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

### Correctional Officer Turnover

As of January 27, 1977, the Brampton Jail had 20 correctional officers on staff.



- 6 (30%) had less than 2 years experience.
- 9 (45%) had between 2 and 5 years experience.
- 5 (25%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Brampton Jail lost 9% of its correctional officers through separations and during 1976, it lost 4.7% for the same reason. Based on these figures, the Brampton Jail was not suffering from an excessive staff turnover rate.

## SECURITY

### 1. Escapes

There were two escapes during the three fiscal years April 1, 1973 to March 31, 1976. Both inmates were recaptured. \*

### 2. Inmate Deaths/Damage

During the two-year period ending in mid-November, 1975, there were three attempted suicides. There were no inmate deaths during the same two-year period. According to the Superintendent, about \$3,000 worth of damage was done to the cells in 1975, but there had been little inmate damage inflicted upon the facilities since then.

### 3. Hostage-Taking Incidents

According to the Superintendent, there have been no hostage-taking incidents at this jail.

### 4. Current Security Problems

In November, 1976, a 26-year-old inmate being held on a charge of murder escaped in company with another inmate from the Brampton Jail.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

The two obtained hacksaws and a pair of pliers from the jail area and sawed through their cell bars several days before the escape. They disguised the cuts in the bars with a soap compound of the same colour as the bars.

They were arrested shortly before Christmas, 1976, in a motel in Key West, Florida.

According to a Ministry inspection report, completed by a member of the Inspections and Standards Branch, dated May 11, 1976, the Brampton Jail suffered at that time from some security weaknesses.

These weaknesses concerned both perimeter and interior security and are outlined in the confidential appendix to this report to the Ministry. (According to the Ministry, these weaknesses had been corrected as of June, 1977.)

### SEGREGATION

According to the Superintendent, the Brampton Jail had two segregation cells on October 5, 1976, and he informed us that he was in contact with segregated inmates on a daily basis. There were no inmates in the segregation cells on October 5, 1976, and the Superintendent did not fill out our questionnaire with regard to the number of inmates, if any, segregated during the six months prior to our October 5, 1976, visit, nor were the reasons for their segregation (if there were any inmates segregated) indicated.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, two were received from inmates at the Brampton Jail. Neither complaint concerned medical or dental treatment, segregation use, visiting privileges or the jail's meals.

### INSTITUTIONAL MORALE

In November, 1975, staff morale at the Brampton Jail was described as excellent by the Superintendent, and poor by a correctional officer and by our Investigators.

### Conclusions

The factors which contributed to these different assessments were based on the following perceptions:

1. Five new correctional officers were to be hired.
2. The institution was understaffed.
3. The institution was overcrowded.
4. The institution was dirty.
5. There had been a lack of rapport between the jail's administrators and correctional officers.
6. There was a high staff turnover and new officers were not properly trained.

7. The facilities at the jail were so out-dated that correctional officers had to make excuses to inmates for not being able to allow them to have, for example, a sufficient number of showers.
8. The jail had no standing orders for the guidance of correctional officers and the institution's rules and regulations were not adequately enforced.

By October, 1976, staff morale had improved to the point where it was assessed as high by the jail's staff and by Investigators from the Office of the Ombudsman.

The factors which led to the improved morale included:

1. The Ministry's decision to close the Brampton Jail and to transfer both staff and inmates to the Metro Toronto West Detention Centre in Etobicoke. This decision improved staff morale because they knew that the frustrations associated with poor working conditions would be alleviated once they were transferred.
2. There was strong leadership and direction given by the jail's senior management. Correctional Officers felt that the Superintendent and his Deputy made competent decisions and had made efforts to overcome the problems and poor working conditions facing all staff members.
3. The strength of the middle-management staff. For example, the sergeants were an efficient group who worked well together and who showed a great deal of pride in the institution.
4. The number of correctional staff had been increased.

In November, 1975, inmate morale was assessed as medium by the Superintendent, Correctional Officers and Investigators from the Office of the Ombudsman.

The factors which led to this assessment included:

1. Constant jail overcrowding.
2. Poor facilities - lack of a sufficient number of toilets and showers; lack of towels, lack of recreational facilities; lack of a suitable day room; lack of adequate laundry equipment; an inadequate visiting area; a poor medical area, and the fact that the jail was not kept clean.
3. Tension between inmates and Correctional Officers.



4. Fears expressed by inmates about their inability to send and receive letters to and from the Office of the Ombudsman in confidence.
5. Concern about the length of time inmates spent in the jail on remand from the courts.
6. The restrictions placed on the number and length of letters inmates were permitted to write and send.
7. The restrictions placed on visiting hours for inmates.

By October, 1976, the inmate morale had improved slightly. Factors which led to this improved assessment included:

1. The knowledge that the Brampton Jail would be closing and the inmates would be transferred to the new Metro Toronto West Detention Centre.
2. The strong leadership provided by senior management at the jail.
3. The consistency used by staff members in applying institutional rules and regulations.
4. The improved quality of meals and medical attention.
5. The extensive physical improvements made to the jail during 1976, which included the cleaning and painting of the entire institution, the installation of new water pipes in the basement, renovations to the showers, the addition of a new commercial-type washer and dryer, and the installation of new wiring.

This facility was described by our original team of Investigators as physically antiquated. In fact, the conditions were described without reservation as dilapidated, appalling, and degrading.

Since our initial visit in November, 1975, this institution has been monitored on a bi-monthly basis. The official capacity of the jail is 30. At the time of our initial visit, the inmate count totalled 65 inmates, while on October 5, 1976, the inmate count totalled 51.

Because of drastic overcrowding, both staff and inmates agreed that there was very little privacy for human needs; there were four corridors - two containing 16 inmates with 2 toilets, and no shower, and two corridors containing 8 inmates, with 2 toilets and no shower - and a dormitory consisting of 19 men with one toilet and one shower.

There was no suitable day area. The corridors had one small picnic table for eating meals and recreation. The

recreation facilities were restricted to weight-lifting, one punching bag, and a moderately-sized, stone-walled courtyard. Most of the cells were very small, and had no lighting facilities. However, one of the corridors had to accommodate up to 16 inmates in four cells with four beds in a cell.

Despite these problems and limitations, we concluded that the jail was, by October, 1976, a well-run institution with strong administration and good line staff. The serious overcrowding problem, however, had dampened staff morale somewhat, and at the same time, had created an air of tension amongst the inmates, but a number of improvements were made to the physical facilities.

Correctional Officers at this facility described the work situation as very frustrating and nerve-racking and said the conditions contributed to a very high turnover in staff which causes additional problems because new recruits lacked training and experience. Correctional Officers complained that they were unable to provide basic services to inmates. For instance, during one of our visits, the dryer in the laundry room had just recently been repaired after being out of service for several days. During that time, several inmates wanted to take showers but these requests could not be granted because there was a limited number of towels. Several Correctional Officers commented that they were fed up with having to give excuses to inmates when they could not provide them with such a basic amenity as a towel. For these and other reasons, the morale among inmates was observed to be only medium.

Despite the appalling conditions, the administration and staff of the Brampton Jail attempted to do their best under very restricting circumstances. For example, the inmates described their meals as excellent, and they said the medical attention they received and the recreation programme was satisfactory.

After our November, 1975 visit, our Investigators reported that there was a constant atmosphere of tension in the Brampton Jail. An example of the tension was exhibited when on February 9, 1976, an inmate started a fire in the institution, which necessitated the jail's closing until February 27, 1976.

We are pleased to report, however, that many of the concerns brought to our attention by administrators, Correctional Officers and inmates were rectified during our subsequent visits to this institution and we commend the institution's personnel for their efforts to make the jail a more humane environment. We feel sure that these efforts helped to de-fuse an existing volatile situation.

(A new Superintendent was appointed to the Brampton Jail on February 25, 1977, and under his direction, new standing orders were written, revised operating procedures were produced, and various phases of staff training were

carried out. In addition, a daily review system was set up to identify all inmates eligible for transfer in an effort to relieve overcrowding. From May, 1977, until the jail closed, the outdoor exercise period was expanded to include both morning and afternoon periods, weather permitting.)

#### RECOMMENDATIONS

SINCE THE BRAMPTON JAIL HAS CLOSED WE ARE NOT OFFERING ANY RECOMMENDATIONS WITH REGARD TO THIS INSTITUTION.

HOWEVER, SINCE THE EXISTING COMMUNITY RESOURCE CENTRE MENTIONED PREVIOUSLY IS UNDER THE JURISDICTION OF THE BRAMPTON ADULT TRAINING CENTRE, WE RECOMMEND THAT THE MINISTRY ESTABLISH A COMMUNITY RESOURCE CENTRE TO SERVE THE BRAMPTON AREA FOR OTHER INSTITUTIONS IN THE AREA, INCLUDING BRAMPTON AREA INMATES NOW HOUSED IN THE METRO TORONTO WEST DETENTION CENTRE.



THUNDER BAY JAIL

GENERAL

The Thunder Bay Jail, located 870 miles northwest of Toronto, opened in 1927 and has an official capacity of 64 male and 11 female inmates. Its official staff complement as of October 5, 1976 included 8 management and 24 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

INMATE POPULATION

Except for 1974, this jail has had an occasional overcrowding problem in each of the past five years as the following figures, all supplied by the Ministry and all as of the fiscal year end of March 31, illustrate.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	77	77	77	77	75	75
Greatest Number	90	90	68	102	118	106
Least Number	28	23	29	36	50	47
Average	61	41	55	61	72	71

In mid-November, 1975, the jail held 71 inmates.

On October 5, 1976, there were 71 inmates, and on January 28, 1977, the jail housed 77 prisoners. On July 22, 1977, the jail held 70 inmates.

Remand Prisoners

In mid-November, 1975, 20 of the jail's 71 inmates were on remand either awaiting trial or the setting of a trial date.

On October 5, 1976, 17 of the institution's 71 prisoners were on remand.

According to a special study conducted by the Ministry of all prisoners on remand as of October 25, 1976, the jail held 33 such inmates as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
9	less than 1 week
2	1 week
3	2 weeks
3	3 weeks
4	4 weeks

...con'd...

[Con'd]

<u>Number of Inmates</u>	<u>Length of Remand</u>
1	5 weeks
1	6 weeks
1	9 weeks
2	10 weeks
1	11 weeks
2	12 weeks
2	13 weeks
1	27 weeks
1	40 weeks

#### Court Transfers

During the week of October 4-8, 1976, 49 inmates were processed and transferred from the jail to the local court.

#### Intermittent Inmates

In mid-November, 1975, 5 of the jail's 71 inmates were serving intermittent sentences, and the same figures applied on October 5, 1976. On January 28, 1977, 11 of the jail's 77 prisoners were serving intermittent sentences.

#### Community Resource Centre

The Thunder Bay Jail is served by the Ontario Native Women's Resource Centre in Thunder Bay, which can accommodate 8 inmates. It is operated for the Ministry by the Ontario Native Women's Association.

With the co-operation of the Superintendent of the Kenora Jail, the Thunder Bay Jail is able to make use of the Kenora Jail's three community resource centres for selected inmates and it also has access to the Thunder Bay Correctional Centre's Kairos Centre, a C.R.C. located in Thunder Bay.

#### Future Building and/or Renovation Program

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 75-bed addition to the Thunder Bay Jail by 1986 and a further 75-bed addition by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 132 inmate beds by 1986 and 217 inmate beds by 2001. The current official capacity of the Thunder Bay Jail is 75 inmates.

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Thunder Bay Jail additions were prioritized as 30th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Thunder Bay Jail by 1986 would be 73.

The current capacity of the institution is 75 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

Currently, the Ministry has no plans to proceed with the formerly proposed jail additions.

In the interim, and depending on the availability of funds, the Ministry intends to expand the kitchen, the front entrance area, make alterations to cell blocks to provide separate accommodation for temporary absence and intermittent-sentenced inmates and construct a new entrance for the visiting area. These projects are planned for 1978-79 or earlier.

## STAFFING

NOTE: Management = M = Superintendent

Assistant Superintendent

C.O. 5 (Lieutenant)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")



	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	7/21 (1:3)	7/25 (1:3.6)
Actual M/C Complement	7/21 (1:3)	7/25 (1:3.6)
Official Inmate Capacity	72	75
Official C - Inmate Ratio	1:3.4	1:3
Actual Inmate Population	66	77
Actual C - Inmate Ratio	1:3.1	1:3

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From January 1, 1976 to December 31, 1976, the Thunder Bay Jail spent \$23,261 for staff overtime, and an additional \$76,728 for casual employees. The total additional salary expenditure for the year was \$99,989, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 8.6 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 20 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 8.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the Correctional Officer complement would be increased to 35.)

#### Correctional Officer Turnover

As of January 27, 1977, the Thunder Bay Jail had 25 correctional officers on staff.

- 3 (12%) had less than 2 years experience.
- 12 (48%) had between 2 and 5 years experience.
- 10 (40%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Thunder Bay Jail lost 10.7% of its correctional officers through separations and in 1976 it lost 7.6% for the same reason. Based on these figures, the Thunder Bay Jail was suffering from an excessive staff turnover rate in 1975.

## SECURITY

### 1. Escapes

There were 3 escapes during the three fiscal years April 1, 1973 to March 31, 1976. The three inmates were recaptured. \*

### 2. Inmate Deaths/Damage

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there had been 4 attempted suicides. During the same period, there was one inmate death by hanging.

During the fiscal year 1975-76, the contents of an entire cell-block were destroyed by inmates (estimated damage, \$12,000), and during the October, 1976, inmate riot, the inmates damaged jail doors, windows and locks.

### 3. Hostage-Taking Incidents

On October 16, 1976, five inmate ringleaders took 7 staff members and 2 visitors hostage at knifepoint for about four hours during an inmate riot. The inmates released their hostages after being assured that they would not be subject to reprisals.

In February, 1977, the same inmates were sentenced to additional terms of imprisonment for their part in the hostage-taking incident. Other inmates were still awaiting trial on charges arising out of the riot.

### 4. Current Security Problems

Our visits to this institution since 1975 and our conversations with the Superintendent and correctional officers indicated that aside from the obvious need for

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

improved internal security, institutional personnel did not feel that they could use the larger of two recreation yards because of inadequate physical security. As a result, the inmates, who lived in overcrowded conditions, were forced to exercise in a much smaller yard.

According to the Ministry inspection report, completed by an Inspector from the Inspections and Standards Branch, dated July 20, 1976, the jail had a number of internal and external security problems.

The Thunder Bay Jail was also the subject of an inspection in February, 1975. At that time, the inspection revealed security weaknesses in the kitchen and exercise yards.

(By March, 1977, the large exercise yard had been secured and was in use.)

Because of the nature of the security problems, and because of our concern for the safety of both the staff and inmates of the Thunder Bay Jail, as well as for the public, we have included some of our comments on institutional security in a confidential appendix to this report to the Ministry.

#### SEGREGATION

The Thunder Bay Jail had three segregation cells on October 5, 1976, but none were in use on that date. During the six month period ending October 5, 1976, eight inmates had been placed in segregation, all for disciplinary reasons. The Superintendent informed us that inmates lodged in the cells are checked by correctional staff every 15-20 minutes.

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, eight originated from inmates of the Thunder Bay Jail. Of that number, two concerned the use of segregation. There were no complaints regarding medical or dental treatment, jail meals or visiting privileges.

We have included excerpts from the following letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

One inmate who wrote to us complained about placing drunk and short-term inmates in the same jail section as that used to house long-term remand inmates awaiting trial. He said, in part,

"I'll be on remand for 3 or 4 month  
and other on the same amount on remand.  
It wouldn't be bad if they put all the  
long remanders in one cell block and  
shortimers in another.



"For the drunks you see the same ones come and go and the way they act in here. I feel that they should try and do more for them. When you are locked up with a few drunk in a cell and when they act up as to being sick, they smell, they won't change they close and it make you so sick you can't eat! And they won't shower."

(One of our Investigators visited this complainant and spoke with the Superintendent about the inmate's concerns. The Superintendent indicated that he was planning on dividing the jail corridors in such a way that those convicted persons serving short-term sentences would be segregated from other inmates.)

#### INSTITUTIONAL MORALE

During the period November, 1975 through October, 1976, the staff at the Thunder Bay Jail and the Investigators from the Office of the Ombudsman assessed staff morale as low. During the same period, both staff and inmates and our Investigators described inmate morale as low.

#### Conclusions

The factors which contributed to the low staff morale from November, 1975 through October, 1976, included:

1. The lack of leadership and direction given to the staff by the Superintendent.
2. The lack of a set of written rules and regulations by which the staff could operate the jail. The result was an inconsistency in the application of rules and regulations.
3. The frequent use of temporary employees and a great deal of overtime work. The extensive periods of overtime reduced staff effectiveness.
4. The high staff turnover rate in 1975 resulted in a constant staff shortage.
5. The absence of meaningful staff training both at the institution and at the regional staff training offices.
6. The delays to improvements in security and operating efficiency of the jail caused by the lack of necessary renovations being completed.

Factors which contributed to the low inmate morale from November, 1975 through October, 1976, included:

1. Inmate boredom because of the administration's failure to provide suitable programming and recreation. For example, for security reasons, the large recreation yard at the Thunder Bay Jail was not used during most of 1976.
2. An inconsistency in the application of rules and regulations which caused inmate frustration.
3. The high number of remand prisoners in the jail. The remand prisoners were more restless than sentenced inmates because of the uncertainty of the sentence that they would receive as well as because they were allowed fewer privileges than sentenced inmates.
4. The total lack of communication between the administrators and the inmates. When inmates were dissatisfied with the answers they received from correctional staff members, they approached the Superintendent only to find him defensive and evasive. The result was inmate frustration.

Because of these conditions at the jail, serious problems occurred as indicated by the inmate disturbances which resulted in extensive damage to the institution and a hostage-taking incident.

By the end of 1976, some improvements had been observed at the jail, mainly because of the appointment of a new Superintendent (in December, 1976). Both staff and inmates responded positively to the leadership provided by the new Superintendent.

In March, 1977, for example, the new Superintendent reported that the jail's standing orders were near completion, and there was agreement that they would be made available to all staff members.

At the same time, however, the Superintendent commented that middle-management problems were still, in part, hampering the effective operation of the institution.

The Superintendent also said that staff training was "still not satisfactory and [gives] cause for concern." At that time, he had requested permission to hire a 40-hour a week casual for three months in order to free training instructors for specific training sessions with staff members.

During 1975-76, the Thunder Bay Jail was a source of problems to the Ministry of Correctional Services as indicated by the inmate disturbances and hostage-taking incident.

Our initial visit in November, 1975, revealed a number of problems which existed at the jail.

The jail was overcrowded. The official capacity was 64 male and 11 female inmates. In November, 1975, the inmate count exceeded 85 and almost half were remand prisoners. Remand prisoners are generally more unstable and restless because there has been no definite decision on whether they will be found guilty and if so, the length of time they must serve in a correctional setting. As a result, their anxiety level is extremely high.

There were hardly any programs or activities for the inmates and there was a lack of recreation. Inmates complained that they were fortunate to go outside once every two weeks. The administrative response was that the weather forced them to abandon a regular outside recreation program. Investigators from our office suggested that punching bags be hung in the corridors outside the inmate cells to allow them to use them to release some of their pent-up emotions and frustrations.

One of the gravest concerns of a large number of the inmates was the number of assaults and constant strong-arm tactics being used by dangerous long-term offenders on the rest of the population. In the inmate sub-culture, it was extremely difficult for the correctional officers to police violence among the inmates. If an inmate were to testify against another inmate, his life would be in great jeopardy for the duration of his sentence. One solution to curbing the amount of strong-arming and violence among the inmate population would be to segregate all known violent and dangerous inmates. Never was a situation of strong-arming more exemplified than during the hostage-taking incident in October, 1976, when inmate ringleaders forced several other inmates to take control of the Thunder Bay Jail.

One of the most serious problems facing the staff at the Thunder Bay Jail was the lack of staff training and development. Most of the officers we spoke to emphasized that in their 8 or 10 year careers, they were lucky to have attended one or two courses. Within the institution itself, there was no staff training and development program. The result was an inconsistency in the application of rules and regulations, complacency, low staff morale, lack of confidence in the jail's leadership and laxness in security precautions and measures. The lack of security was exemplified by the hostage-taking incident in October, 1976. Some inmates were able to obtain the keys to the main exit leading from the jail's corridors. A subsequent police investigation revealed that the security vault in the main control room had not been locked for months which meant that valuable documents and riot equipment were available to inmates when they took over the jail.

Other problems in the institution included insufficient office accommodation for senior management. Moreover, there was a continual display of indifference and a lack of leadership on the part of the Superintendent.



A grand jury report dated February 13, 1976, supported many of the findings which became evident as a result of our investigation. In addition to those mentioned, the grand jury recommended the installation of new and additional equipment in the kitchen area.

The grand jury also recommended as a prime consideration that necessary funds be made available which would allow for the provision of recreational facilities for the inmates.

There were three yards for outside recreation, but the two male exercise yards had been inoperable for almost a year for security reasons according to institution officials. This proved to be a constant source of irritation to the inmates. They were forced to engage in recreation in a very small confined yard. The inmates said that their inability to use the large yard affected them psychologically, and commented that they would have been much happier if the large yard did not exist. This factor alone appeared to have contributed to much of the inmate tension level. This high tension level carried over into the corridors and became a source of irritation to the correctional officers. This was especially evident when the officers agreed with the inmates that the large recreation yard should have been in operation. (By March, 1977, the large exercise yard was secure and was being used.)

Section 19(3) of The Ombudsman Act, 1975, states, in part:

" ... If at any time during the course of an investigation it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel."

On October 21, 1977, a letter was sent to the former Superintendent of the Thunder Bay Jail pursuant to section 19(3) of The Ombudsman Act. It read as follows:

"Dear [name deleted]:

Re: Our File No. 11413-CJL

"My investigation into complaints relating to the problems in correctional institutions is close to completion.

"You acted as Superintendent of the Thunder Bay Jail from September 5, 1966 to November 22, 1976. During this period our investigation indicates the presence in this institution of some factors that

might well be the subject matter of comment and recommendation in my final report.

"Section 19(3) of The Ombudsman Act provides as follows:

'The Ombudsman may hear or obtain information from such persons as he thinks fit, and may make such inquiries as he thinks fit and it is not necessary for the Ombudsman to hold any hearing and no person is entitled as of right to be heard by the Ombudsman, but, if at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel.'

"On the basis of some of the facts so far ascertained following a lengthy investigation, I am of the view that it would be open to me to find that there was a lack of leadership and direction given to the staff by the Superintendent, that there was a continual display of indifference by the Superintendent, that with the appointment of a new Superintendent there was a positive response from staff and inmates to the leadership he provided, and that there was a perception by the inmates that the Superintendent was defensive and evasive when approached by inmates with questions.

"I am of the view that you should be given an opportunity to address yourself to the possible conclusions set out above before I prepare my final report on this investigation.

"I wish to assure you that although, in my opinion, there are grounds based upon the investigation thus far conducted for me to make a report that would justify the above-noted conclusions and recommendations, my views remain open and I await the representations to be made to me by you or on your behalf. If you wish to make such representations in writing or by counsel, would you please let me know within seven days. Due to uncertainties in the delivery of mail, may I suggest that you respond within seven days by a collect telegram. If I do not hear from you within that time, I shall proceed to make my final conclusions and recommendations.

"I am enclosing a copy of The Ombudsman Act for your convenience.

Yours faithfully,

Arthur Maloney

"Encl.

"P.S. You may also wish to respond to this letter by a collect telephone call. If so, please call my private line at [number deleted].

The former Superintendent of the Thunder Bay Jail telephoned the Office of the Ombudsman on Thursday, October 27, 1977, in response to the Ombudsman's letter of October 21. He spoke with Philip Patterson, Director of Correctional and Psychiatric Services and stated that he did not want to make representations in response to our letter. He went on to state that he disagreed with our possible conclusions and said that during the period in question his health had been poor, but that he did not want to make representations concerning the Ombudsman's possible conclusions.

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT A SET OF WRITTEN STANDING ORDERS COVERING THE JAIL'S OPERATIONS BE COMPLETED AND THAT INSTITUTIONAL RULES AND REGULATIONS BE POSTED IN THE JAIL IN LOCATIONS WHERE THEY ARE ACCESSIBLE TO BOTH INMATES AND STAFF TO ENSURE THEIR CONSISTENT APPLICATION. (In June, 1977, the Ministry informed us that this recommendation had been put into effect.)
2. THAT THE MINISTRY ENSURE THAT A NEW EMERGENCY ALARM SYSTEM IS INSTALLED IN THE JAIL AS SOON AS POSSIBLE; AND
3. THAT THE MINISTRY ENSURE THAT RECREATIONAL PROGRAMS ARE ESTABLISHED AND NECESSARY EQUIPMENT PURCHASED TO ALLOW FOR INMATE RECREATION AND EXERCISE; AND
4. THAT, BECAUSE OF THE PAST INCIDENTS OF INMATE DISTURBANCES, THE MINISTRY, IN CO-OPERATION WITH THE MINISTRY OF THE ATTORNEY-GENERAL, THE LOCAL JUDICIARY AND THE LOCAL DEFENCE BAR, EXPEDITE THE TRIALS OF THOSE INMATES IN THE JAIL WHO (A) ALREADY HAVE A SERIOUS CRIMINAL RECORD AND/OR WHO (B) ARE FACING SERIOUS CRIMINAL CHARGES. (In July, 1977, we were informed that delays in justice procedures had been referred to the Ministry of the Attorney General.) AND



5. THAT THE MINISTRY ENSURE THAT AN ADEQUATE AND ON-GOING STAFF TRAINING AND DEVELOPMENT PROGRAM IS ESTABLISHED AT THIS FACILITY AS SOON AS POSSIBLE. (In July, 1977, we were informed that one staff member had been completely freed of other duties to conduct an on-going staff training and development program which was to take place over the following three months.

PETERBOROUGH JAIL

GENERAL

The Peterborough Jail, located 80 miles northeast of Toronto, was built in 1866 and has an official capacity of 24 male and 1 female inmates. Its official staff complement as of October 5, 1976, included 6 management and 15 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

INMATE POPULATION

The Peterborough Jail has been operating near, at, or over its capacity since 1972 as the following figures show. The figures, supplied by the Ministry, are all as of the fiscal year end of March 31.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	24	24	24	25	25	25
Greatest Number	42	42	33	39	45	54
Least Number	8	11	6	12	11	19
Average	23	22	22	21	27	36

On November 14, 1975, the jail held 22 inmates.

On October 5, 1976, there were 28 prisoners being housed, and on January 27, 1977, the population count was 33, including 3 prisoners on intermittent sentences. On July 22, 1977, the jail held 22 inmates.

Remand Prisoners

On November 15, 1975, 12 of the jail's 22 inmates were on remand awaiting bail, the setting of a trial date, or trial. On October 5, 1976, 8 of the 25 inmates were on remand.

According to a special study completed by the Ministry of remand inmates as of October 25, 1976, the jail held 21 remand prisoners as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
10	less than 1 week
1	1 week
3	2 weeks
2	3 weeks
1	6 weeks
2	10 weeks
1	12 weeks
1	29 weeks

### Court Transfers

During the week of October 4-8, 1976, 24 inmates were processed and transferred to the local jail.

### Intermittent Inmates

On November 15, 1975, none of the 22 inmates were serving intermittent sentences, and there were none serving such a sentence on October 5, 1976. By January 27, 1977, the jail housed 3 such inmates out of a total population of 33.

The imposition of intermittent sentences was rare in the Peterborough area because of a special liaison which existed between the jail's Superintendent, the local Crown Attorney's office and the local Bench. With full co-operation between these segments of the criminal justice system, convicted persons who might otherwise be given an intermittent sentence are instead sentenced to a straight time term which is immediately converted into one which allows the inmate to complete his sentence under the Temporary Absence Program.

Not only does this method appear to satisfy the Court's sentencing goals, but it also reduces the burden on the Peterborough Jail which, unlike most other jails in the Province, does not have to cope with the admission and discharge of large numbers of weekend inmates who not only contribute to an overcrowding problem but who also often disrupt normal staff and inmate routines.

### Community Resource Centre

The Peterborough Jail is served by Kawartha House, a 15-bed capacity Community Resource Centre in Peterborough which is operated for the Ministry by the Salvation Army.

### Future Building and/or Renovation Program

The Government had approved plans for the construction of a \$13.36 million 100 to 150-bed detention centre. Final drawings and cost estimates had been completed and an architectural firm had been appointed. The earliest projected completion date was to be about 1983.

However, the Peterborough Detention Centre project was grouped with several others on the lowest priority level of the Ministry's Capital Program.

In the interim, the Ministry plans to install a new fire alarm system.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 100-bed detention centre to be built in Peterborough, with an addition of 10 beds to be completed by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 58 inmate beds by 1986, and 107 inmate beds by 2001. The Peterborough Jail has a current official capacity of 25 inmates.



Of the 36 Ministry facilities dealt with in the new accommodation plan, the Peterborough Detention Centre was prioritized as 2nd.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Peterborough Jail by 1986 would be 29.

The current capacity of the institution is 25 inmate beds, and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

Currently, the Ministry plans to construct an \$11.2 million, 140-bed detention centre in the Peterborough area to replace the Peterborough Jail. The Government's Management Board has approved the Ministry's proceeding to the design stage with the project. The new centre will open in late 1982 or early 1983.

Although the Ministry plans to build a 140-bed detention centre to replace the jail, our analysis of the jail's current capacity (25); the average maximum number of inmates during the last six years (43); and the Ministry's projected inmate population in 1986 (29); leads us to believe that such a centre is not necessary at this time.

However, the Ministry informs us that the centre might replace not only the Peterborough Jail, but also the Cobourg

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

and Lindsay Jails. Currently, these two jails have a combined capacity of 67 inmates, while the average maximum has been 69 inmates during the last six years. By 1986, they are projected to hold 57 inmates.

If the three jails are closed upon the opening of a new Peterborough-area centre (combined projected population of 86), we believe that it should be a 120-bed facility.

It should be stressed that the Ministry has not made any firm decisions respecting the closings of the Cobourg and Lindsay Jails and it is possible that future planning considerations will substantially alter these preliminary proposals.

In 1977 dollars, the cost of such a centre would be \$9.6 million. (The Ministry hopes to reduce its cost-per-inmate-bed from the current \$80,000 to \$55,000 - but if inflationary forces continue, it is unlikely that by 1982 or 1983, when the centre might be opened, the final cost would be reduced substantially.)

#### STAFFING

NOTE:            Management = M = Superintendent  
                                 Assistant Superintendent  
                                 C.O. 5 (Lieutenant)  
                                 C.O. 4 (Sergeant)  
                 Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	6/15 (1:2.5)	6/15 (1:2.5)
Actual M/C Complement	6/15 (1:2.5)	6/15 (1:2.5)
Official Inmate Capacity	25	25
Official C - Inmate Ratio	1:1.7	1:1.7
Actual Inmate Population	31	33
Actual C - Inmate Ratio	1:2	1:2

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Peterborough Jail spent \$15,711 for staff overtime, and an additional \$54,101 for casual employees. The total additional salary expenditure for the year was \$69,812, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 6 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 10 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 1.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that it had decided not to increase the correctional officer complement by one as recommended by the staffing formula.)

#### Correctional Officer Turnover

As of January 27, 1977, the Peterborough Jail had 15 correctional officers on staff.

- 4 (27%) had less than 2 years experience.
- 2 (13%) had between 2 and 5 years experience.
- 9 (60%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate was about 10 per cent.

In 1975, the Peterborough Jail lost 5% of its correctional officers through separations. It lost none for that reason in 1976. Based on these figures, the Peterborough Jail was not suffering from an excessive staff turnover rate.

#### SECURITY

##### 1. Escapes

There were 2 escapes during the three fiscal years April 1, 1973 to March 31, 1976. Both inmates were recaptured. \*

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution



## 2. Inmate Deaths/Damage

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there had been two minor suicide attempts. There were no inmate deaths during the same period. In October, 1975, while a member of a local motorcycle club was incarcerated in the jail, one or more of his associates hurled a dynamite bomb onto the roof of the jail in a bid to free him, thereby causing about \$2,000 in damage.

## 3. Hostage-Taking Incidents

The Superintendent informed us that the jail has not been the scene of hostage-taking incidents.

## 4. Current Security Problems

During our visits to this institution since 1975 and conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

## SEGREGATION

The Peterborough Jail has one segregation cell which was not in use on October 5, 1976. According to the Superintendent, 49 inmates were placed in segregation during the six month period ending October 5, 1976, 29 for disciplinary reasons and 20 for their own protection. The Superintendent communicates daily with segregated inmates.

## INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, none originated from inmates at the Peterborough Jail.

## INSTITUTIONAL MORALE

Despite the fact that the Peterborough Jail was an outdated and sometimes overcrowded facility, both staff and inmate morale remained high between November, 1975 and October, 1976.

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[Footnote, continued from previous page]

from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

## Conclusions

The factors which contributed to the high morale of both staff and inmates included:

1. The leadership and concern of the Superintendent for the smooth functioning of his institution was evident. Inmates appeared completely at ease in the presence of the Superintendent and his staff, and there was an obvious rapport between them.
2. The jail had not been constantly overcrowded. The manageable number of inmates at the institution served to facilitate excellent rapport among staff, and between staff and inmates.
3. During the summer of 1976, there was a considerable increase in recreational activities.
4. The local Community Resource Centre has been of considerable benefit since it has been operating at full capacity.
5. Several improvements and renovations were made to the physical facilities. There were significant renovations to the kitchen and living area with the addition of sinks and toilets. Floors were repaired and a new exhaust fan was installed. A volunteer art program was initiated and about \$1,000 of art supplies were purchased. In addition, volunteers from the community helped to expand the library service, and additional recreation equipment was purchased for the exercise yard.

Despite the fact that the Peterborough Jail is an ancient jail constructed in 1866, our initial investigative team was favourably impressed by this facility. In spite of only mediocre facilities, a continued and concerted effort was being made by the institutional staff to make the best of a difficult situation. Cleanliness was strictly maintained, and the formerly grey cells had been repainted in bright colours.

The institution had a capacity for 25 inmates, and at the time of our initial visit in November, 1975, the inmate count totalled 22. On October 5, 1976, the inmate population was 28. The Peterborough Jail was not experiencing an overcrowded situation, and it was only occasionally that this facility's inmate count surpassed maximum capacity.

Our Investigators felt that it was significant that not one of the inmates complained about this jail. In fact, one inmate who had a number of months remaining in his sentence

borough Jail despite the rather outdated conditions there.

Our visits to this jail over a period of one year made it evident that staff and inmate morale was high. Much of the success of this institution is a result of the personality and policies of the Superintendent. Undoubtedly, the manageable numbers at this institution served to facilitate the good inmate-staff relationship.

During the summer of 1976, there was a considerable increase in recreational activities for the inmates with the aid of a summer student. The operation of the 15-bed Community Resource Centre was also of considerable benefit to the jail's operation.

There is a definite lack of space for the inmates to pursue recreational activities, and this very aged jail is not slated for any extensive renovation program at the present time. It has been declared an historic building by the City of Peterborough. A new facility has been in the planning stages for some time, but there is no indication that it will be operating until at least 1983. Projected plans of the jail's administrators involve the renovation of the existing facilities including the installation of a new locking system and minor renovations to windows, wiring and plumbing.

The physical structure of the Peterborough Jail is at best an anachronism in 20th-Century Ontario, yet the operation there of a system of corrections with a human face underscores what can be done by dedicated staff with a manageable number of inmates.

#### CONCLUSIONS AND RECOMMENDATIONS

OUR OBSERVATIONS OF THIS JAIL HAVE LED US TO THE CONCLUSION THAT IT IS A WELL-RUN INSTITUTION AND THAT THE CREDIT FOR THIS CONDITION MUST BE GIVEN TO THE JAIL'S ADMINISTRATORS AND LINE STAFF WHO, DESPITE WORKING IN OUTDATED AND SOMETIMES OVERCROWDED CONDITIONS, HAVE MANAGED TO PROVIDE THE PETERBOROUGH AREA WITH AN ALMOST MODEL JAIL.

HOWEVER, WE RECOMMEND:

1. THAT IF THE MINISTRY PLANS TO CLOSE THE PETERBOROUGH, LINDSAY AND COBOURG JAILS, IT SEEK GOVERNMENT APPROVAL TO CONSTRUCT A 120-BED CENTRE IN THE PETERBOROUGH AREA AS SOON AS POSSIBLE.



## KENORA JAIL

### GENERAL

The Kenora Jail's male section, built in 1928, has an official capacity of 73 inmates. The female section, opened in November, 1973, has a capacity of 24 inmates. About 75 per cent of those incarcerated in this jail are Native Indians. The jail's official staff complement as of October 5, 1976, included 8 management and 37 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

### INMATE POPULATION

The Kenora Jail has experienced an overcrowding problem since at least 1972. The following figures, supplied by the Ministry, and all as of the fiscal year end of March 31, illustrate the situation.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	57	57	57	86	97	97
Greatest Number	129	129	94	109	159	136
Least Number	44	26	34	34	53	64
Average	93	74	76	88	144	102

On November 16, 1975, the inmate population was 121, but by January 28, 1977, the count had dropped to 80. On July 22, 1977, however, the jail held 99 inmates.

### Remand Prisoners

As of November 16, 1975, 43 of the jail's 135 inmates were on remand either awaiting trial or the setting of a trial date.

According to a special study of remand inmates completed by the Ministry, the jail housed 24 remand inmates on October 25, 1976, as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
5	1 week
6	2 weeks
1	3 weeks
2	4 weeks
2	5 weeks
5	6 weeks
1	7 weeks
1	10 weeks
1	24 weeks

### Intermittent Inmates

On November 16, 1975, 2 of the jail's 135 inmates were serving intermittent sentences. On January 27, 1977, 1 of the jail's 80 inmates was serving such a sentence.

### Community Resource Centre

The Kenora Jail is served by a Community Resource Centre located in Dryden. The centre - Northwestern Resource Centre - has a capacity of 10 inmates, and is operated for the Ministry by a private couple. (The Ministry informed us in June, 1977, that this C.R.C. will close in October, 1977.)

The Ministry itself operates two Mobile Resource Centres (forestry camps). One, Pistil Lake (in Minaki), can accommodate 14 inmates. The other, Red Lake, can also house 14 inmates.

The Thunder Bay Jail, in co-operation with the Superintendent of the Kenora Jail, occasionally transfers inmates to the Kenora Jail for eventual placement in one of the three camps - two of which are used exclusively for housing Native Indian inmates, and the other which houses both Indian and white inmates.

### Future Building and/or Renovation Program

The Ministry plans to carry out floor resurfacing in the male section of the jail.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 100-bed addition to the Kenora Jail. The jail would be expanded by another 100 beds by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 176 inmate beds by 1986, and 295 inmate beds by 2001. The Kenora Jail's current official capacity is 97 inmates.

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Kenora Jail additions were prioritized as 29th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Kenora Jail by 1986 would be 120.

The current capacity of the institution is 97 inmate beds, and this most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

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\* In arriving at this figure, Ministry officials took into account the following factors:

con'd...

There are currently no plans to proceed with the formerly proposed detention centres.

Although the Ministry has no plans to make additions to the Kenora Jail, our analysis of the jail's current capacity (97); the average maximum number of inmates during the last six years (126); and the Ministry's projected inmate population in 1986 (120); lead us to believe that a 40-bed addition should be built onto the jail.

In 1977 dollars, the cost of such an addition would be \$3.2 million. (The Ministry hopes to reduce its cost-per-inmate-bed from the current \$80,000 to \$55,000 - but if inflationary forces continue, it is unlikely that by 1982 or 1983, when the addition might be opened, the final cost would be substantially reduced.)

#### STAFFING

NOTE:           Management = M = Superintendent  
                                Deputy Superintendent  
                                C.O. 5 (Lieutenant)  
                                C.O. 4 (Sergeant)  
                  Correctional = C = Correctional Officers

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[Footnote, continued from previous page]

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")



	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	8/34 (1:4.3)	8/37 (1:4.6)
Actual M/C Complement	8/34 (1:4.3)	8/37 (1:4.6)
Official Inmate Capacity	97	97
Official C - Inmate Ratio	1:3	1:2.6
Actual Inmate Population	133	80
Actual C - Inmate Ratio	1:4	1:2.2

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Kenora Jail spent \$54,804 for staff overtime, and an additional \$113,226 for casual employees. The total additional salary expenditure for the year was \$168,030, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 14.5 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 24 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 3.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that it had decided not to increase the correctional officer complement as recommended by the staffing formula. It had decided, after further study, to employ a cook and clerk and to rely on overtime and casual employees to ensure proper correctional supervision.)

#### Correctional Officer Turnover

As of January 27, 1977, the Kenora Jail had 37 correctional officers on staff.

- 7 (19%) had less than 2 years experience.
- 14 (38%) had between 2 and 5 years experience.
- 16 (43%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Kenora Jail lost 7% of its correctional officers through separations and in 1976 it lost 2% of its correctional officers for the same reason. Based on these figures, the Kenora Jail was not suffering from an excessive staff turnover.

## SECURITY

### 1. Escapes

There were 5 escapes during the three fiscal years April 1, 1973, to March 31, 1976. Three of the inmates were recaptured. (As of June, 1977, only one inmate was still at large.)

### 2. Inmate Deaths/Damage

The Superintendent informed us that in the two-year period ending in mid-November, 1975, there had been 13 attempted suicides and one inmate death. A coroner's jury found the cause of death to be methyl alcohol poisoning.

According to the Superintendent, inmate damage to the jail is minimal, and the institution has not experienced any violent inmate incidents in recent years.

### 4. Current Security Problems

During our visits to this institution since 1975, and our conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

## SEGREGATION

There are four segregation cells in the Kenora Jail, and, the Superintendent informed us, only one or two are regularly used. He said the usual reasons for segregating inmates include disciplinary problems, protective custody inmates, and some inmates who are segregated for a short period of time because they arrive at the jail in a vermin-infested condition and must be treated before being placed with the general inmate population. The inmates in segregation are normally checked at least every half-hour.

## INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, four originated from inmates at the

Kenora Jail. Of that number, two related to the use of segregation and one to the jail's meals. There were no complaints concerning dental treatment, medical treatment or visits.

#### INSTITUTIONAL MORALE

From November, 1975 through October, 1976, staff and inmate morale was assessed by both jail staff and Investigators from the Office of the Ombudsman to be high.

#### Conclusions

The factors which contributed to the high staff morale between November, 1975 and October, 1976, included:

- 1) A low staff turnover rate. A large percentage of the staff had many years of correctional experience, thus providing a great deal of consistency in the operation of the jail.
- 2) The correctional officers felt that they received strong support from the administrators of the jail.

The factors which contributed to the high inmate morale between November, 1975, and October, 1976, included:

- 1) The cleanliness of the jail.
- 2) The co-educational nature of many of the facilities at the institution. Male and female inmates worked together in such areas as the kitchen.
- 3) The high percentage of native Indian inmates at the jail were provided with arts and crafts, and sewing and handicraft activities for the female inmates, and leathermaking, carving, native social clubs and outdoor labour camps for the male inmates.
- 4) The three resource centre camps which operated as satellites of the jail.

It was the impression of our original Investigative team that the physical environment of the Kenora Jail reflected some sensitivity to basic human needs.

The two inmate sections were in a reasonable state of repair and each cell had a high ceiling partition, thus allowing the inmate some measure of privacy. The kitchen and shower facilities were adequate. The newer female section was designed in a dormitory-style arrangement with some provision for cell accommodation.

Many of the facilities at this institution are co-educational in that men and women work together in such areas as the kitchen and have joint access to the indoor and



outdoor recreational facilities. The outdoor recreational facility consists of a courtyard which is well used in the summer months, but is often useless during the winter because of snow accumulation. (In June, 1977, the Ministry informed us that snow removal from the outdoor exercise courtyard is an on-going activity in winter.)

The major problem at the Kenora Jail was overcrowding. At the time of our initial visit, there were 135 inmates in a facility which had an official capacity of 97. Approximately one-third of the total population consisted of inmates on remand. The other inmates were serving short sentences. It was significant in our opinion that the institutional administrators felt that approximately 50 per cent of the inmate population could be placed in less secure facilities (but not necessarily C.R.C. settings) without providing an unnecessary risk to the community.

Morale was generally high among all segments of the institutional population and the relationship between staff and inmates appeared to be favourable. We were informed by the Correctional Officers that the few staff grievances which existed were usually resolved at the local level. Few complaints were voiced by inmates to our Investigators, and it appeared that tension levels increased only during periods of peak overcrowding. Although female inmates were engaged in a number of sewing and handicraft activities, there were insufficient activities available to the male inmates, especially during the winter.

One special characteristic of the Kenora Jail was that a high number of the inmates were Native Indians and that the majority of them had committed minor offences, often related to alcohol. Both staff and native inmates agreed that the so-called "white man's programs" were not desirable and popular. They saw a need for more arts and crafts hobbies such as leathermaking, carving, and for native social clubs and outdoor labour camps.

The Kenora Jail had been able to overcome the problem in part through the use of its winterized outdoor work camps (mobile C.R.C.'s). There were three resource centres operating as satellites of the Kenora Jail. By means of the Temporary Absence Program, several low-security risk inmates had been sent to these centres for the duration of their sentences, and they were considered successful by both administration and inmates at the Kenora Jail.

Generally speaking, the Kenora Jail was a model institution capable of meeting the needs of both staff and inmates. The only major problem, aside from overcrowding, was the lack of activity for male inmates during the winter months.

### CONCLUSIONS AND RECOMMENDATIONS

BASED ON OUR OBSERVATIONS OF THE KENORA JAIL, WE HAVE CONCLUDED THAT ITS STAFF IS TO BE CONGRATULATED ON HAVING CREATED A HUMANE ATMOSPHERE FOR THE INMATES INCARCERATED THERE DESPITE THE FACT THAT THEIR EFFORTS ARE HAMPERED BY AN ALMOST CONSTANT OVERCROWDING PROBLEM.

#### WE RECOMMEND:

1. THAT IN LIGHT OF THE SUPERINTENDENT'S ASSESSMENT THAT A LARGE MAJORITY OF THE INMATES -- MANY OF THEM NATIVE INDIANS -- DO NOT REQUIRE TO BE HOUSED IN A MAXIMUM-SECURITY SETTING, THE MINISTRY ESTABLISH ALTERNATIVES TO THE MAXIMUM-SECURITY SETTING TO ALLEVIATE THE JAIL'S OVERCROWDING PROBLEM; AND
2. THAT THE JAIL'S ADMINISTRATORS MAKE EVERY EFFORT TO KEEP THE OUTDOOR RECREATIONAL AREA CLEARED OF SNOW DURING THE WINTER IN ORDER THAT IT CAN BE USED FOR INMATE EXERCISE; AND
3. THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO MAKE FUNDS AVAILABLE TO BEGIN CONSTRUCTION OF A 40-BED ADDITION TO THE KENORA JAIL.

BARRIE JAIL

GENERAL

The Barrie Jail, located 55 miles north of Toronto, was built in 1843 and has a current official capacity of 32 male and 9 female inmates (as of January 27, 1977). As of October 5, 1976, its official staff complement included 8 management and 16 correctional staff. Our observations of this jail began in November, 1975, and have continued to date.

INMATE POPULATION

The official capacity of the jail has dropped from 52 to 41 over the past five years, but the number of inmates the facility has been forced to accommodate has risen dramatically. The following table shows that the overcrowding problem is not a recent phenomenon. All figures are as of the fiscal year ending March 31, and were obtained from the Ministry.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	52	52	52	45	41	41
Greatest Number	45	45	66	69	80	122
Least Number	8	11	19	25	34	43
Average	32	29	44	46	59	71

As of October 5, 1976, the jail housed 60 inmates, and on January 27, 1977, there were 62 inmates in the jail. The same number were in the jail on July 22, 1977.

Remand Prisoners

As of October 5, 1976, 30 of the jail's 60 prisoners were on remand either awaiting bail, the setting of a trial date, or trial.

According to a special study completed by the Ministry, on October 25, 1976, there were 31 inmates on remand as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
1	Less than 1 week
10	1 week
3	2 weeks
4	3 weeks
1	4 weeks
6	5 weeks
1	6 weeks
4	7 weeks
1	10 weeks



### Court Transfers

During the week of October 4 - 8, 1976, 38 inmates were processed and transferred from the jail to the local court.

### Intermittent Prisoners

On January 27, 1977, when the jail housed 62 inmates, it was also responsible for an additional 20 prisoners serving intermittent sentences. Some were housed at Camp Hillsdale, a forestry camp located 23 miles north of Barrie. The camp has a capacity of 40 inmates.

Another group of inmates was kept at Camp Hendrie, a second forestry camp located 9 miles north of Barrie. The camp has a capacity of 30 inmates.

Until April, 1977, both camps were under the jurisdiction and control of the Toronto (Don) Jail, but the Superintendents of the two jails co-operated in the use of the two camps.

On January 11, 1977, the Ministry announced that Camp Hendrie would be closed because it was not operating at capacity. The Ministry's news release said "sizeable expenditures" would be required if the 30-bed camp was to continue operating. Inmates normally housed at Camp Hendrie would be transferred to Camp Hillsdale, the announcement added.

As of April 15, 1977, according to the Superintendent at the jail, the jurisdiction for the remaining camp has been given to his institution, and it will be used for housing intermittent and minimum-security inmates.

In June, 1977, the Ministry informed us that an additional 10 inmate spaces were being provided at Camp Hillsdale to help relieve overcrowding at the Barrie Jail.

### Community Resource Centre

The Barrie Jail is not served by a community resource centre, but the Ministry plans to establish one in 1977 depending on the availability of funds and a suitable location.

### Future Building and/or Renovation Program

The Government had approved plans for a \$13.7 million 200-bed detention centre to serve the Barrie area, but because funds were not available for land acquisition in 1976-1977, the project did not go forward.

Even if funds had been made available during the fiscal year 1977-78, and assuming a suitable site for the Detention Centre could have been found and construction begun soon after, the new institution would not have been in operation until about 1982.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan

was a 100-bed detention centre to be built in the Barrie area. It would be expanded to a 200-bed unit by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 89 inmate beds by 1986 and 161 inmate beds by 2001. The Barrie Jail has a current official capacity of 41 inmates.

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Barrie proposals were prioritized as 7th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Barrie Jail by 1986 would be 68.

The current capacity of the institution is 41 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than two per cent. \*

Currently, the Ministry still plans to construct a new detention centre to serve the Barrie area. The Government's Management Board has agreed that this project should proceed to the design stage, but, so far, the size of the proposed centre has not been determined. Assuming that the project proceeds, the new centre would be open in late 1982 or early 1983.

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

Although the Ministry has not yet arrived at a projected capacity for the proposed detention centre, our analysis of the current capacity of the jail (41); the average maximum number of inmates during the last six years (71); and the Ministry's projected inmate population in 1968 (68), leads us to believe that an 80-bed centre should be built in the Barrie area.

In 1977 dollars, the cost of such a centre would be \$6.4 million. (The Ministry hopes to reduce its costs-per-inmate-bed from the current \$80,000 to \$55,000 - but if inflationary forces continue, it is unlikely that by 1982 or 1983, when the centre might be opened, the final cost would be substantially reduced.)

The Ministry, in the interim, has plans to renovate some areas of the existing jail, including washrooms and floors, in 1977-78.

During the fiscal year 1977-78, the administration hopes to carry out approved changes consisting of a new fire alarm system, an extension and renovations to the jail kitchen (both now at the design stage), the paving of the south exercise yard, and the securing of the unused (as of October, 1976) south exercise yard.

According to Ministry officials, there were also plans being discussed to increase security in the north exercise yard and to make needed adjustments to the jail's heating system.

#### STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent (C.O.5)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	8/16 (1:2)	7/16 (1:2.3)
Actual M/C Complement	8/16 (1:2)	6/14 (1:2.3)
Official Inmate Capacity	42	41
Official C - Inmate Ratio	1:3	1:2.5
Actual Inmate Population	50	62
Actual C - Inmate Ratio	1:3	1:4

\* Vacancies - According to the staffing formula in effect on January 27, 1977, the Barrie Jail was short 2 C.O.2's and 1 C.O.5. (As of June, 1977, these vacancies had been filled.)



From April 1, 1975 to March 31, 1976, the Barrie Jail spent \$8,808 for staff overtime, and an additional \$48,474 for casual employees. The total additional salary expenditure for the year was \$57,282, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 4.9 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 16 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 10.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures. (According to the Ministry, staff overtime and casual employee expenses had been reduced considerably by June, 1977, due to the filling of staff vacancies.)

(In December, 1977, the Ministry informed us that it would increase the correctional officer complement by the recommended 10.)

#### Correctional Officer Turnover

As of January 27, 1977, the Barrie Jail had 14 correctional officers on staff.

- 3 (21%) had less than 2 years experience.
- 0 (0%) had between 2 and 5 years experience.
- 11 (79%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Barrie Jail lost 14% of its correctional officers through separations and during 1976 it also lost 14% for the same reason. Based on these figures, the Barrie Jail was suffering from an excessive staff turnover rate.

## SECURITY

### 1. Escapes

There were no escapes during the three fiscal years April 1, 1973, to March 31, 1976.

### 2. Inmate Deaths/Damage

There have been no inmate deaths at this institution in recent years, nor have there been any attempted suicides. According to the jail's administrators, incidents of malicious inmate damage to the Barrie Jail are minimal. The one problem area related to the windows of the institution, and specifically to the screens placed on the windows. Apparently, they have never fit properly, and the inmates had no trouble in removing them. (As of June, 1977, the faulty screens had been replaced with security screens.)

In one other incident, inmates caused about \$400 damage to sinks, pipes and windows in one corridor when a television was turned off midway through a program they were watching. The Acting Superintendent told our Investigators that he attributed the cause for this damage to poor judgment on the part of one of his officers who was supervising the inmates at the time.

### 3. Hostage-Taking Incidents

The Superintendent informed us that there have been no hostage-taking incidents at the Barrie Jail.

### 4. Current Security Problems

According to a Ministry inspection report, completed by a member of the Inspection and Standards Branch, dated July 29, 1976, the Barrie Jail suffered at that time from a number of security weaknesses.

These weaknesses, which were pointed out in the inspection report as well as discussed with our Investigators by jail staff, concerned both perimeter and interior security.

Because of the nature of the weaknesses, and in the interests of both the institution's and the public's safety, we have brought these concerns to the attention of the Ministry through a confidential appendix to this report.

During our November, 1975 and October, 1976 visits to this institution, and our interviews with the Superintendent, correctional officers and inmates, all segments of the institution's population agreed that the jail's administrators maintain effective security control of the Barrie Jail.

However, in September, 1976, in an apparently spontaneous action, nine inmates participated in a sit-down, and in October, 1976, correctional officers uncovered a homemade smoke bomb which, if it had been used, would have necessitated the evacuation of the jail.

### SEGREGATION

According to the Superintendent, the Barrie Jail had three segregation cells on October 5, 1976. He informed us that he communicated daily with inmates in segregation, that none were in segregation on October 5, 1976, and that 23 inmates had been placed in the segregation cells during the six month period ending October 5, 1976. Of that number, 18 had been segregated for security purposes, three were placed there voluntarily for their own protection, and two others were placed in segregation involuntarily for their own protection.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, five were received from the Barrie Jail. One dealt with the quality of meals at the jail, and another dealt with medical treatment. There were no complaints about dental treatment, visits, or the use of segregation.

We have included excerpts from the following letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

One inmate complained to our office in December, 1975, and said, in part,

"We receive no milk at all, other than that which we get in coffee, tea or cereal... we have no recreation, other than that which we think up ourselves, (although) they (the institutional authorities) have started a few things...

"Every morning we are up between 6:30 and 7:00 which is understandable, but then our cells are locked and we are not allowed in them at all until 9:00 at night...

"We are allowed a towel first thing in the morning to wash, they are then all taken out before or after breakfast, except for the ones we hide... I have been told that we receive showers or (are) supposed to every second day, (but) sometimes we have not had one for four days. We get clean clothes once a week - socks and shorts everytime we have a shower. I have been here for over four months.

"I have had crabs three times wether (sic) it is from not showering enough, or dirty blankets which have been changed only once since I've been here, or from having to sit on the floor every night to watch T.V. I don't know...



"We are not allowed to buy shampoo, or soap or toothpaste or pens... We are only allowed pencils to write with, not one apiece, we have to share pencils... Letter-writing we are only allowed supposedly two letters a week - one piece of paper. I have seen the Superintendent about this, now I am allowed to write a letter for every one I receive... The books we have to read supplied by the jail, are not very selective, they have not changed them since I've been here...

"Concerning the... Superintendent... most of the time he will not see you if you just put personnal (sic) problems. Who do you see then, a personnal (sic) problem is a personnal (sic) problem, who do we talk to about them...

"I have been in front of the Superintendent on several occasions concerning me and other staff, rules and regulations, I have been called an instigator, leader, and that the best thing for him to do, is transfer me. The reason this came about is because of disagreements with staff and asking about rules and regulations...

"The notice concerning what the Ombudsman represent, was taken down, the day after you came on tour. I don't know how inmates are supposed to find out about your presence without a notice... "

(Our Investigator discovered that this inmate spoke for many others in the jail, and his main concerns were discussed with the Superintendent. The Superintendent agreed to issue a clear set of guidelines respecting inmate behaviour which would be posted at all times, and said he had ordered new cups in order to supply the necessary inmate milk ration. Subsequent investigation showed that the milk ration was being supplied in accordance with Ministry directives. This inmate was later transferred to the Kingston Penitentiary.

(In June, 1977, the Superintendent informed us that milk is served with cereal, pudding, tea, coffee and at 10 a.m. each day, and also twice a week at the late lunch. The individual cells are locked during the day for security reasons to enable the correctional officers to observe the inmates. All inmates are showered at least three times a week as well as on the days they have court appearances. Socks and underwear and towels are changed every shower day, and the jail's blankets are washed every three months or prior

to re-issue. Each inmate is allowed one personal letter per day, in addition to letters to M.P.'s, M.P.P.'s, lawyers, the Ombudsman, etc. Special letter privileges are granted upon request. Library books are changed regularly and the Superintendent sees any inmate who requests an interview, provided a request form is completed so that there is a record of the interview.)

#### INSTITUTIONAL MORALE

In November, 1975, the staff of the Barrie Jail and the investigative team from the Office of the Ombudsman assessed the staff morale as low. By October, 1976, the staff morale had improved.

In November, 1975, the staff, inmates and investigative team from the Office of the Ombudsman also assessed the inmate morale as low. By October, 1976, however, inmate morale had shown some improvement.

#### CONCLUSIONS

The factors which contributed to the low staff morale in November, 1975, included:

- 1) The absence of an on-going staff training program. Many correctional officers stated that they had not attended a staff training refresher course since they joined the Ministry. Those officers who did attend the course were totally disillusioned because the course did not apply to the work they did at the jail.
- 2) An inconsistency in the application of rules and regulations within the jail because, to the extent that they existed, such regulations were for the most part not being enforced. Some officers said that staff in the jail had learned to apply them differently.
- 3) Constant jail overcrowding.
- 4) There were no standing orders available to the jail staff.

The factors which contributed to the low inmate morale in November, 1975, included:

- 1) Overcrowding in the jail caused by the high number of remand inmates.
- 2) The pervasive boredom experienced by the inmates as a result of being locked up most of the time with nothing to do. The Barrie Jail had virtually no recreational activities and, as there was no security wiring along the top of the exercise wall to make the area more secure, access to this area was severely restricted.

- 3) The inability of the administration to improve living conditions and to see that the staff in the institution applied rules and regulations consistently. To protest the length of time they had been on remand, as well as general jail conditions, nine inmates launched a general sit-down in September, 1976.

By October, 1976, staff morale had improved somewhat. The most important reason was the appointment of a new Acting Superintendent. He provided a greater deal of leadership and tried to improve the conditions in the jail. He also provided better communications among all segments of the institution.

By October, 1976, inmate morale had improved slightly. The reasons for the change included:

- 1) Attempts by the Acting Superintendent to improve the living conditions in the jail.
- 2) Efforts by the administration to alleviate inmate boredom by making renovations to the recreation yard.

Our initial assessment team described the Barrie Jail as a small, outdated facility totally inadequate to house the numbers of inmates it receives from the extensive area of the population it services. The obvious recommendation at that time was to construct a new detention facility.

Since November, 1975, the jail has been monitored almost bi-monthly. To a large extent, major problems still exist. First and foremost is the problem of overcrowding. The official inmate capacity is 41, but on October 5, 1976, the total count was 60 - 18 over capacity. Both staff and inmates confirm that the jail is always overcrowded. The four main reasons for overcrowding appear to be (a) the length and number of remands; (b) the delays in transferring inmates from the jail after they have been sentenced; (c) the large number of inmates serving intermittent sentences; and (d) the fact that the jail serves a large population basin, much larger than this small, outdated facility was originally designed to deal with.

Some of the physical problems included the need for an extension to the existing jail kitchen to cater to the excessive number of inmates; the need to pave the south exercise yard to improve the deplorable recreation facility; the need for placing security screening and/or a barbed wire over-hang along the top of the exercise wall to make this area of the institution more secure; and the need for a more secure area for storing medication. These renovations were approved by Ministry officials in late 1976.



Many of the staff told our Investigators of their dissatisfaction with the lack of staff training and development which they had received to date. They said that there was an inconsistency in the application of rules and regulations within the jail because, to the extent that they existed, such regulations were not, for the most part, being enforced. One Correctional Officer attended the training course at the Guelph Correctional Centre and left totally disillusioned. He said that the course did not apply to jails but rather to Correctional Centres. He felt that there should be two programs at the staff training centres; one for those in Correctional Centres and another for those in Jails and Regional Detention Centres. The concern of most Correctional Officers concerning the inconsistent application of rules and regulations was that it created high tension levels among the inmate population - a group which demands consistency.

With the overcrowded conditions, the staff complement was not sufficient to allow for staff training, proper supervision of inmates, or constructive security operations within the jail.

Section 19(3) of The Ombudsman Act, 1975, states, in part:

" ... If at any time during the course of an investigation it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendations, either personally or by counsel."

On October 21, 1977, a letter was sent to the former Superintendent of the Barrie Jail pursuant to section 19(3) of The Ombudsman Act. It read as follows:

"Dear [name deleted]:

Re: Our File No. 11413-CJL

"My investigation into complaints relating to the problems in correctional institutions is close to completion.

"You acted as Superintendent of the Barrie Jail from June 12, 1972 to February 1, 1977. During this period our investigation indicates the presence in this institution of some factors that might well be the subject matter of comment and recommendation in my final report.

"Section 19(3) of The Ombudsman Act provides as follows:

'The Ombudsman may hear or obtain information from such persons as he thinks fit, and may make such inquiries as he thinks fit and it is not necessary for the Ombudsman to hold any hearing and no person is entitled as of right to be heard by the Ombudsman, but, if at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel.'

"On the basis of some of the facts so far ascertained following a lengthy investigation, I am of the view that it would be open to me to find that there was a perception by the inmates of a reluctance on the part of the administration to improve living conditions and to see that the staff in the institution applied rules and regulations consistently, the appointment of a new Acting Superintendent had the effect of increasing staff morale at the jail, that the new Acting Superintendent provided a greater leadership, that he tried to improve conditions in the jail, that the new Acting Superintendent also provided better communications among all segments of the institution, and that inmate morale also improved because the new Acting Superintendent tried to improve living conditions in the jail.

"I am of the view that you should be given an opportunity to address yourself to these possible conclusions and recommendations before I come to any final conclusion and make any final recommendation in relation to this investigation.

"I wish to assure you that although, in my opinion, there are grounds based upon the investigation thus far conducted for me to make a report that would justify the above-noted conclusions and recommendations, my views remain open and I await the representations to be made to me by you or on your behalf. If you wish to make such representations in writing or by counsel, would you please let me know within seven days. Due to uncertainties

in the delivery of mail, may I suggest that you respond within seven days by a collect telegram. If I do not hear from you within that time, I shall proceed to make my final conclusions and recommendations.

"I am enclosing a copy of The Ombudsman Act for your convenience."

Yours faithfully,

Arthur Maloney

"Encl.

"P.S. You may also wish to respond to this letter by a collect telephone call. If so, please call my private line at [number deleted]."

The former Superintendent of the Barrie Jail was contacted by telephone by Philip Patterson, Director of Correctional and Psychiatric Services in the Office of the Ombudsman on Friday, October 28, 1977. This action was taken to ascertain whether the former Superintendent had received our October 21 letter.

In the discussion which followed, the former Superintendent stated that it was his intention not to make any representations to the Ombudsman as a result of the Ombudsman's letter to him. He went on to state that if we wanted a statement from him for the record, it was his observation that the Barrie Jail was overcrowded and that this would naturally lead to poor morale. Furthermore, it was his observation that it was not until after he had left the institution that the Ministry began to repair and renovate the jail.

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO MAKE FUNDS AVAILABLE AS SOON AS POSSIBLE FOR THE ACQUISITION OF LAND FOR A NEW 80-BED DETENTION CENTRE FOR BARRIE AND THAT CONSTRUCTION ON THE PROJECT BEGIN AS QUICKLY AS POSSIBLE; AND
2. THAT THE MINISTRY IMMEDIATELY IMPLEMENT ITS PLAN TO ESTABLISH A COMMUNITY RESOURCE CENTRE TO SERVE THE BARRIE JAIL; AND
3. THAT, IF IT HAS NOT ALREADY BEEN DONE, THE MINISTRY SECURE THE UNUSED COURTYARD TO ALLOW FOR ADDITIONAL INMATE EXERCISE; AND



4. THAT, IF IT HAS NOT ALREADY DONE SO, THE MINISTRY CARRY OUT THE SECURITY RECOMMENDATIONS CONTAINED IN THE INSPECTION REPORT OF THE INSPECTIONS AND STANDARDS BRANCH DATED JULY 29, 1976; AND
5. THAT THE SUPERINTENDENT ENSURE THAT ALL STAFF MEMBERS AND INMATES ARE AWARE OF THE JAIL'S RULES AND REGULATIONS AND THAT THE STAFF ADMINISTER THEM CONSISTENTLY. (In June, 1977, we were informed by the Ministry that standing orders would be issued to all staff members within one month. We were also told that all inmates had been issued with the jail inmate handbook.) AND
6. THAT, IN LIGHT OF COMPLAINTS VOICED TO OUR INVESTIGATORS THAT BECAUSE THE INMATES ARE NOT ALLOWED TO ENTER THEIR CELLS DURING THE DAY, THE MINISTRY PROVIDE INMATES AT THE BARRIE JAIL WITH BLANKETS SO THAT THEY WILL NOT BE FORCED TO SIT ON THE INSTITUTION'S COLD CONCRETE FLOORS DURING THE DAY (SUBJECT TO THE IMPLEMENTATION OF SUCH A RECOMMENDATION NOT POSING A SECURITY PROBLEM FOR THE JAIL); AND
7. THAT THE MINISTRY ENSURE THAT THE SUPERINTENDENT OF THE JAIL ORDERS AND RECEIVES A VARIETY OF GAMES WHICH CAN BE USED BY THE INMATES DURING THE DAY SO AS TO DECREASE THEIR INACTIVITY AND BOREDOM. (In June, 1977, we were informed by the Ministry that under the new jail administration, games had been purchased for inmate use.) AND
8. THAT MINISTRY OFFICIALS ACCELERATE THEIR REVIEW AND APPROVAL OF INSTITUTIONAL STANDING ORDERS FOR THE BARRIE JAIL, AND, ONCE THEY ARE APPROVED, THAT THE SUPERINTENDENT ENSURE THAT THEY ARE MADE AVAILABLE TO ALL STAFF MEMBERS. (In June, 1977, the Ministry informed us that the jail's standing orders would be issued to the staff within one month.) AND
9. THAT THE MINISTRY ENSURE THAT STAFF MEMBERS OF THE JAIL RECEIVE APPROPRIATE, ADEQUATE AND ON-GOING STAFF TRAINING. (In June, 1977, the Ministry informed us that the jail staff are now receiving the Ministry's on-going staff training courses.) AND
10. THAT THE MINISTRY ASSIST THE SUPERINTENDENT IN HIS EFFORTS TO OBTAIN THE CO-OPERATION OF THE BARRIE POLICE AND THE LOCAL JUSTICE OF THE PEACE IN ORDER THAT AT LEAST SOME OF THE CELLS AT THE POLICE STATION BE USED FOR HOUSING OVERNIGHT INEBRIATES INSTEAD OF TRANSFERRING THEM TO THE OVERCROWDED BARRIE JAIL. (In June, 1977, the Ministry informed us that the Superintendent had had some success in receiving co-operation from the Barrie Police Department.)

## CORNWALL JAIL

### GENERAL

The Cornwall Jail, located 70 miles south-east of Ottawa, was built in 1833 and had an official capacity of 21 male and 1 female inmates as of January 27, 1977. As of October 5, 1976, its official staff complement included 6 management and 11 correctional personnel. Our observations of this jail began in March, 1976, and have continued to date.

Although this jail was not included in our original November, 1975 survey, it was added after the Office of the Ombudsman received an anonymous letter from a jail staff member. Shortly after, our office also received telephone calls from families of inmates in the jail, saying that the inmates had threatened to stage a hunger strike to draw attention to the jail's problems.

During our first visit to the institution, the inmates we interviewed told us that the threatened hunger strike was a device they used to ensure the intervention of our office in what they perceived to be growing tensions within the institution arising mainly out of a conflict between the Superintendent and his staff.

### INMATE POPULATION

Although the jail's official capacity is now 22 inmates, it has, over the past five years, been forced to accommodate over 30 inmates. The following figures, supplied by the Ministry, and all as of the fiscal year end of March 31, indicate that the jail has been accommodating an increasing number of inmates.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	25	25	25	25	25	22
Greatest Number	28	28	29	37	30	32
Least Number	4	4	7	8	9	11
Average	15	16	16	18	22	24

On October 5, 1976, the jail housed 21 inmates, on January 27, 1977, it contained 22 prisoners, and on July 22, 1977, the jail held 15 inmates.

### Remand Prisoners

As of October 5, 1976, 13 of the jail's 21 prisoners were on remand either awaiting bail, the setting of a trial date or trial.

According to a special study completed by the Ministry of remanded prisoners as of October 27, 1976, the Cornwall Jail housed 11 such inmates as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
1	1 week
1	2 weeks
1	3 weeks
1	4 weeks
5	5 weeks
1	12 weeks
1	13 weeks

### Court Transfers

During the week of October 4-8, 1976, 25 prisoners were processed and transferred from the jail to the local court.

### Intermittent Prisoners

As of October 5, 1976, 5 inmates were serving intermittent sentences. On January 27, 1977, 6 inmates were serving intermittent sentences in addition to the previously mentioned inmate total of 22 inmates.

### Community Resource Centre

The Cornwall Jail is not served by a community resource centre and the Ministry has no plans to establish one in the near future.

### Future Building and/or Renovation Program

The Government had approved plans for the construction of a 200-bed \$7.58 million Detention Centre to replace the Cornwall, Brockville and Perth Jails, but since funds were not available in 1976-77 for land acquisition, no progress was made on this project. Even if funds had been available during 1977-78, and assuming that a suitable site could have been found and construction begun soon after, a new detention centre for this area would not have been in operation until about 1982.

According to the Ministry's Capital Program, the planned detention centre was grouped with several other projects on the lowest priority level. In the interim, the Ministry had no plans for renovations to the existing Cornwall Jail.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 110-bed detention centre to be built in the Cornwall area.



Long-term inmate population figures computed by the Ministry indicated a need for 38 inmate beds by 1986 and 61 inmate beds by 2001. The Cornwall Jail has a current official capacity of 22 inmates.

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Cornwall proposals were prioritized as 10th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Cornwall Jail by 1986 would be 24.

The current capacity of the institution is 22 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than two per cent. \*

There are currently no plans to build a new detention centre for the Cornwall area.

#### STAFFING

NOTE: Management = M = Superintendent  
Assistant Superintendent/C.O. 5  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	6/11 (1:1.8)	6/11 (1:1.8)
Actual M/C Complement	6/11 (1:1.8)	6/11 (1:1.8)
Official Inmate Capacity	25	22
Official C - Inmate Ratio	1:2	1:2
Actual Inmate Population	22	22
Actual C - Inmate Ratio	1:2	1:2

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Cornwall Jail spent \$9,643 for staff overtime, and an additional \$48,508 for casual employees. The total additional salary expenditure for the year was \$58,151, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 5 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 9 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 4.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(As of October 21, 1976, correctional officer strength at the jail was reduced by 3 when one officer was dismissed and two others were absent for lengthy periods due to injuries sustained on the job. This reduction in available manpower contributed to increased overtime for regular officers and necessitated greater use of casuals.)

#### Correctional Officer Turnover

As of January 27, 1977, the Cornwall Jail had 11 correctional officers on staff.

- 0 ( 0%) had less than 2 years experience.
- 6 (55%) had between 2 and 5 years experience.
- 5 (45%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975 when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Cornwall Jail did not lose any correctional officers due to separations, but in 1976, it lost 12.5% of its correctional officers for this reason. Based on that figure, the Cornwall Jail was suffering from an excessive staff turnover rate.

## SECURITY

### 1. Escapes

There was 1 escape during the three fiscal years April 1, 1973 to March 31, 1976. The escapee was recaptured.

### 2. Inmate Deaths/Damage

According to the Superintendent, there have been no inmate deaths or attempted suicides at the Cornwall Jail in recent years, nor has there been any major damage caused to the facility by inmates.

### 3. Hostage-Taking Incidents

According to the Superintendent, the Cornwall Jail has not been the scene of any hostage-taking incidents.

### 4. Current Security Problems

According to a Ministry inspection carried out by a member of the Inspection and Standards Branch in October, 1975, the Cornwall Jail, at that time, did not suffer from any major perimeter or internal security weaknesses.

The same conclusion was reached by another Ministry Inspector when he visited the jail in September, 1974.

During our visits to the jail, the Superintendent commented that security had not been emphasized until his appointment. He felt that he had tightened up security, but that several staff members had difficulty in adjusting to his new procedures.

The Superintendent added that overcrowding at the jail contributed to the security problem.

None of the other staff members or the jail's inmates expressed concerns to our Investigators about the institution's security.

## SEGREGATION

On October 5, 1976, the Cornwall Jail had no segregation cells, however, some cells were used for segregation



purposes and the Superintendent informed us that the inmates lodged in such cells were checked by correctional staff at least every half-hour. There were no inmates in segregation on October 5, 1976, and during the six month period prior to that date, five inmates had been segregated, all of them for disciplinary reasons.

#### INMATE COMPLAINTS

Of the first 535 inmate files closed by the Office of the Ombudsman, six originated from inmates at the Cornwall Jail. Of that number, one each concerned visiting privileges, medical treatment and the use of segregation. There were no complaints about dental treatment or the jail's meals.

We have included an excerpt from one letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

Among the letters from inmates at the jail was one which stated,

"I'm writing from the Cornwall County Jail. I've been sick I think with the mumps for the last week. I've been requesting a doctor every day now for a week and there has been no word of him coming in.

"All I'm getting is a couple of aspirins every once and awhile. I am getting worse and wish that I can get some help somewhere. I would be very grateful if you could do something about it.

"I'm only 17 and the guards here just laugh and pass it off. It would be really great if I can get some help."

(Our investigation revealed that the inmate's concern was independently resolved by the jail's administrators. Our Investigator noted that the jail staff had been aware of the inmate's letter to our office and had called the jail's doctor to the institution - on a day when he did not usually attend - to examine the inmate. He diagnosed the inmate's medical problem as acute tonsillitis and prescribed medication.)

#### INSTITUTIONAL MORALE

In October, 1976, both staff and inmates at the Cornwall Jail described the staff and inmate morale as very low.

### Conclusions

The factors which contributed to the low staff morale in October, 1976, included:

- 1) The lack of adequate programs and facilities to keep the inmates occupied due, in large part to the physical limitations of the jail itself, and to the frequent turnover of inmates within the institution.
- 2) The lengthy periods of overtime required of correctional officers and the heavy reliance on casuals.
- 3) Problems with the overall administration and leadership resulting in inadequate channels of communication between both levels of management and line staff. As a result, there was resistance to the administration which caused mistrust and division among all those employed at the jail.

The factors which contributed to the low inmate morale in October, 1976, included:

- 1) The lack of programs and facilities to keep inmates occupied.
- 2) The inmates' awareness of the staff problems which culminated in a petition being sent in March, 1976, to the Office of the Ombudsman predicting that a hunger strike would occur unless the Ministry or the Ombudsman intervened in the management/staff dispute.
- 3) The inconsistency in the application of rules, regulations and privileges affecting inmates. Different correctional officers enforced the regulations differently.
- 4) The perception of many inmates that the Superintendent was reluctant to deal with them personally and preferred to delegate the handling of inmate problems to middle management and correctional staff.

Our Investigators reported that their observations of this jail revealed a serious conflict which existed between the Superintendent, his management team and the line staff. This conflict, our Investigators concluded, was the underlying cause of the serious morale problem which existed in the jail.

Although it was determined by our Investigators that there were a number of factors which contributed to the

morale problem at the jail, it was their opinion that a major cause of the problem was the Superintendent's administration of the jail.

The inmates commented that because of the conflict, they felt that their situation in the Cornwall Jail was made worse, partly due to the Superintendent's curtailing of volunteer and recreational programs, and partly due to the inconsistent application of the jail's rules and regulations. As well, some inmates said the food they were served was inedible, and they complained that they were only allowed to shower twice weekly.

Although the Ministry assured our office that it would take action to rectify the staff conflict at the jail, our Investigators felt, as late as November, 1976, that the staff and inmate morale problem had not improved. Indeed, in February, 1977, the situation had still not been resolved by the Ministry, although senior officials assured our office that steps were being taken to replace the current Superintendent.

It was and is our opinion that the only practical solution to the morale problem at the jail was the replacement of the Superintendent.

In coming to these conclusions, we have carefully considered the representations made to the Ombudsman pursuant to section 19(3) of The Ombudsman Act.

Section 19(3) of The Ombudsman Act, 1975, states in part,

" ... If at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel."

On Monday, October 31, 1977, a hearing pursuant to section 19(3) of The Ombudsman Act was conducted at the Office of the Ombudsman. The former Superintendent of the Cornwall Jail was present and was questioned by the Ombudsman, Mr. Arthur Maloney, Q.C., and he made the representations here undernoted. Also in attendance were the following: the Superintendent's wife, Glenn Hainey, and Philip Patterson, of the Office of the Ombudsman.

The former Superintendent attended this hearing in response to the Ombudsman's letter dated October 21, 1977 which reads as follows:



"Dear [name deleted]:

Re: Our File No. 11413-CJL

"My investigation into complaints relating to the problems in correctional institutions is close to completion.

"You acted as Superintendent of the Cornwall Jail from June 1, 1975 to June 1, 1977. During this period our investigation indicates the presence in this institution of some factors that might well be the subject matter of comment and recommendation in my final report.

"Section 19(3) of The Ombudsman Act provides as follows:

'The Ombudsman may hear or obtain information from such persons as he thinks fit, and may make such inquiries as he thinks fit and it is not necessary for the Ombudsman to hold any hearing and no person is entitled as of right to be heard by the Ombudsman, but, if at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel.'

"On the basis of some of the facts so far ascertained following a lengthy investigation, I am of the view that it would be open to me to find that leadership and channels of communication between Superintendent and staff were poor and inadequate, that there was a lack of programs and facilities to keep inmates occupied, that inmates were aware of staff problems, that there was an inconsistency in the application of rules, regulations and privileges affecting inmates, and that there was a perception by the inmates of a reluctance on the part of the Superintendent to deal personally with them and that morale problems were of such a nature that the appointment of a new Superintendent was advisable and called for.

"I am of the view that you should be given an opportunity to address yourself to the possible conclusions and recommendations before I come to any final conclusion and make any final recommendation in relation to this investigation.

"In deciding if you wish to take advantage of this opportunity and in formulating any submissions you might wish to make to me as Ombudsman, I feel I should make perfectly clear that anything that might be said in my final report in respect to your service should not under any circumstances be taken as a reflection on you personally. It would be said instead solely for the purpose of making it plain that regardless of where the fault lies matters had deteriorated to such a degree that the appointment of a new Superintendent appeared to be the only workable solution to a very difficult problem.

"I wish to assure you that although, in my opinion, there are grounds based upon the investigation thus far conducted for me to make a report that would justify the above-noted conclusions and recommendations, my views remain open and I await the representations to be made to me by you or on your behalf. If you wish to make such representations in writing or by counsel, would you please let me know within seven days. Due to uncertainties in the delivery of mail, may I suggest that you respond within seven days by a collect telegram. If I do not hear from you within that time, I shall proceed to make my final conclusions and recommendations.

"I am enclosing a copy of The Ombudsman Act for your convenience.

Yours faithfully,

Arthur Maloney

Encl.

"P.S. You may also wish to respond to this letter by a collect telephone call. If so, please call my private line at [number deleted]."

Upon his attendance the former Superintendent made written and oral representations. He stated that he requested a transfer to his present position as a probation and parole officer because he wanted to remain in Cornwall.

The former Superintendent then stated that when he was appointed Superintendent of the jail, he initiated a number of programs at the jail, including bingo, movies and regular visits by a United Church Minister. He produced a letter confirming his involvement with programs at the jail.

He acknowledged that there was a severe morale problem at the jail but stated that his contribution to that problem was minimal. He acknowledged that his management style may

have contributed to the problem. He stated that he was not trying to give the impression that he was perfect nor that he had not made any mistakes, but that, in his view, he was definitely the victim of a conspiracy by a number of correctional staff at the jail. This conspiracy, in his view, existed throughout the duration of his tenure as Superintendent at the jail. He stated further that these individuals resented him from the time of his appointment because he had been selected over them for the position of Superintendent.

The former Superintendent contended that he had not mishandled any situation during his time at the jail, but he did acknowledge that there may have been problems of communication between him and his staff. He went on to state that he agreed that there was a morale problem and a lack of communication. He stated that he would never return to an institution because of the lack of support he had received from his staff at the Cornwall Jail.

He stated that he disagreed that he had exhibited poor leadership. He stated that his door was always open, that the jail was well-run and that he had prepared a set of standing orders for the jail. He stated that he was completely open with his staff and that he had initiated monthly staff meetings.

As a result of the former Superintendent's representations, the Ombudsman directed that further investigation be undertaken by members of his staff. This was done and a total of 14 employees at the Cornwall Jail and 4 employees of the Ministry of Correctional Services were interviewed.

The Ombudsman gave careful consideration to the former Superintendent's representations and to the results of the further investigation carried out. On the basis of all the information before him, the Ombudsman remains of the view that the only possible solution to the very severe problem which had developed at the jail was the transfer of the Superintendent. It must, however, be very clearly stated and understood that although the former Superintendent must bear the greatest burden of responsibility for the morale problem which had developed, it is the Ombudsman's view that he was not totally responsible for the situation which was created and existed for some time at the jail. Our findings indicate that some responsibility for the strained staff relations must also be borne by many of the staff who worked at the jail. Indeed our investigation and the former Superintendent's representations cause us to question the advisability of appointing, as the Superintendent of a jail in a small city, a man who had worked at the facility for over a decade and who had become very familiar and close to the men that he would have to supervise and direct in their daily functions at the jail. The former Superintendent at the Cornwall Jail had to assume the position of Superintendent



without the benefit of experience in any other institution. He was required to exercise authority over a group of individuals who had been for so many years his co-workers, a group that knew his strengths, his habits, and his weaknesses. Senior Ministry officials from the Eastern Region acknowledged that it would have been more appropriate to select an applicant from outside the Cornwall area.

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT THE MINISTRY ENSURE THAT INSTITUTIONAL RULES AND REGULATIONS ARE ENFORCED CONSISTENTLY BY STAFF MEMBERS. (In June, 1977, the Ministry informed us that the Superintendent will tour the jail twice daily and speak to both inmates and staff. In addition, regular staff meetings will be held.) AND
2. THAT THE MINISTRY TAKE IMMEDIATE STEPS TO IMPLEMENT A REGULAR EXERCISE PROGRAM FOR INMATES AND THAT INMATE PROGRAMS AND COMMUNITY VOLUNTEER PARTICIPATION BE INITIATED AND ENCOURAGED TO RELIEVE INMATE BOREDOM AND INSTITUTIONAL TENSION. (In June, 1977, the Ministry informed us that the Superintendent would establish a 1 1/2 hour daily yard exercise period, seven days a week, weather permitting. The Superintendent is also to meet with volunteer groups to set up a structured community volunteer program for inmates.) AND
3. THAT THE MINISTRY MAKE EVERY EFFORT TO SOLIDIFY MANAGEMENT/UNION RELATIONS AT THE JAIL WHICH IN THE PAST HAVE BEEN STRAINED. (In June, 1977, the Ministry informed us that management/union relations had improved significantly since the appointment of the new Superintendent. This information coincides with that of our Investigators.) AND
4. THAT THE MINISTRY INSTITUTE AN APPROPRIATE, ADEQUATE AND ON-GOING TRAINING PROGRAM FOR CORRECTIONAL STAFF.

We would have recommended that some immediate solution be found to the management-staff crisis which had developed at the Cornwall Jail, however, prior to the completion of this Report, the Ministry acted to resolve the problem.

## GUELPH JAIL

### GENERAL

The Guelph Jail, located 60 miles west of Toronto, was built in 1853 and has an official capacity of 28 male inmates. As of October 5, 1976, its official staff complement included 7 management and 13 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

### INMATE POPULATION

While the capacity of the jail has remained static for at least the last five years, it has often experienced the problem of having to house more inmates than intended. The following figures, supplied by the Ministry, and all as of the fiscal year end of March 31, illustrate the problem.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	28	28	28	28	28	28
Greatest Number	37	29	43	42	52	52
Least Number	10	9	9	13	23	23
Average	23	24	28	24	37	37

In mid-November, 1975, there were 42 inmates in the jail.

On October 5, 1976, the jail housed 35 inmates, and the inmate population on January 27, 1977, was 40 inmates. On July 22, 1977, the jail held 27 prisoners.

### Remand Prisoners

As of October 5, 1976, 13 of the jail's 35 inmates were on remand either awaiting bail, the setting of a trial date, or trial.

According to a special study completed by the Ministry of remand prisoners as of October 25, 1976, the Guelph Jail housed 11 such inmates as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
3	Less than 1 week
1	2 weeks
1	3 weeks
1	4 weeks
2	5 weeks
1	6 weeks
1	11 weeks
1	35 weeks

### Court Transfers

During the week of October 4-8, 1976, 27 inmates were processed and transferred from the jail to the local court.

### Intermittent Prisoners

As of October 5, 1976, the Guelph Jail held 13 intermittent prisoners in addition to the previously mentioned inmate total of 35. On January 27, 1977, it housed 4 intermittent inmates in addition to its already-reported total of 40.

### Community Resource Centre

The Guelph Jail is not served by a community resource centre, and the Ministry has no plans to establish one in the near future.

### Future Building and/or Renovation Program

The Government had approved plans for a 200-bed \$13.53 million Detention Centre to replace the Guelph and Kitchener Jails, but funds were not available in 1976-77 for the acquisition of land. Even if the funds had been made available in 1977-78, and assuming that a suitable site could have been located and construction started soon after, the new detention centre would not have been in operation until about 1982.

In the interim, the Ministry plans, during 1977-78, to carry out renovations to the jail's basement to provide recreation rooms and an increased hot water capacity in order to provide hot water to cell areas.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 170-bed detention centre to replace both the Guelph and Kitchener Jails. It would be expanded to a 320-bed unit by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 160 inmate beds by 1986 and 382 inmate beds by 2001. The Guelph and Kitchener Jails have a current official capacity of 65 inmates (not including the Kitchener Jail Annex which has an official capacity of 62 inmates).

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Guelph-Kitchener proposals were prioritized as 6th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Guelph Jail by 1986 would be 41.



The current capacity of the institution is 28 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

#### STAFFING

NOTE: Management = M = Superintendent  
Assistant Superintendent  
C.O. 5 (Lieutenant)  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77</u> *
Official M/C Complement	6/12 (1:2)	6/12 (1:2)
Actual M/C Complement	6/12 (1:2)	6/11 (1:1.8)
Official Inmate Capacity	28	28
Official C - Inmate Ratio	1:2	1:2
Actual Inmate Population	39	40
Actual C - Inmate Ratio	1:3	1:3.6

\* Vacancies - According to the staffing formula in effect on January 27, 1977, the jail was short one Correctional Officer, Level 2.

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

From April 1, 1975 to March 31, 1976, the Guelph Jail spent \$13,681 for staff overtime, and an additional \$29,723 for casual employees. The total additional salary expenditure for the year was \$43,404, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 3.7 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 9 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 3.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that it would increase the correctional officer complement by 1.)

#### Correctional Officer Turnover

As of January 27, 1977, the Guelph Jail had 11 correctional officers on staff.

- 0 ( 0%) had less than 2 years experience.
- 3 (27%) had between 2 and 5 years experience.
- 8 (73%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In both 1975 and 1976, the Guelph Jail lost 5.8% of its correctional officers through separations. Based on those figures, the jail was not suffering from an excessive staff turnover rate.

#### SECURITY

##### 1. Escapes

There were no escapes during the three fiscal years April 1, 1973 to March 31, 1976.

## 2. Inmate Deaths/Damage

The Superintendent informed us that there had been no inmate deaths and that there was very little inmate damage caused to the institution, with the exception of an occasional window being broken.

## 3. Hostage-Taking Incidents

The Superintendent informed us that there had been no hostage-taking incidents at the jail.

## 4. Current Security Problems

During our visits to this facility, and our conversations with the Superintendent and correctional officers, the only major security problem brought to our attention involved their perception that there was a problem with the jail's control room.

In the interests of the safety of jail staff and inmates as well as the general public, we have included these perceptions in a confidential appendix to this report to the Ministry.

## SEGREGATION

According to the Superintendent, the Guelph Jail had two segregation cells on October 5, 1976, and both were in use on that date. The segregated inmates are visited daily by the Superintendent.

During the six month period ending October 5, 1976, 11 inmates had been placed in segregation -- all of them for disciplinary reasons.

## INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, five originated from the Guelph Jail. Of those five, one concerned medical treatment, one concerned visiting privileges, and a third concerned the use of segregation. There were no complaints about meals or dental care.

## INSTITUTIONAL MORALE

During the period from November, 1975 through October, 1976, the jail staff and the investigative teams from the Office of the Ombudsman observed very little change in both staff and inmate morale which was initially described as medium.

## Conclusions

The factors which contributed to the medium staff morale included:



- 1) The responsible and efficient staff, which operated well despite problems of overcrowding and understaffing.
- 2) The great deal of team work among the staff in this small, well-run institution. More than half the staff had more than 5 years experience and they had worked together for a considerable length of time. There was a very low staff turnover.

The factors which contributed to the medium inmate morale from November, 1975 through October, 1976, included:

- 1) The staff's consistent management of the institution.
- 2) The occasional severe overcrowding.
- 3) The use of inmates to work in the kitchen, to clean the corridors and to do painting and other renovations.
- 4) The improvements made to the jail's physical facilities in 1976 with inmate help, including: panelling of the administration offices; renovation of the library and interview rooms; installation of tiles on landings; painting the entire jail; secure storing of riot equipment, files and money in a security room and the re-building of the jail's storage room.
- 5) The fact that the Superintendent allowed inmates access to their cells during the day instead of locking them. This gave the inmates an opportunity to have more space during the day but did not constitute a security risk because, in this particular jail, correctional staff were able to see into inmate cells and maintain constant supervision of their activities.

From November, 1975, through October, 1976, our Investigators observed very little change in this jail. It was described as a well-run institution with a responsible and efficient staff which was experiencing problems of overcrowding and understaffing.

Because of the increasing overcrowding problems at the Guleph Jail, the staff argued that they were understaffed. The staff said that this overcrowding/understaffing problem meant all they could do was to warehouse inmates. Many of the staff members said, however, that the understaffing problem could be rectified by increasing the quality of existing staff through more in-service, on-the-job staff training.

With regard to the worsening overcrowding situation, both staff and inmates told us that the establishment of a community-based residential centre in the Guelph area would reduce the number of inmates that must be housed in the Guelph Jail.

The most common complaint received from inmates concerned the lack of programs and activities to alleviate the monotony and boredom of everyday jail living.

This is not to say that the Guelph Jail lacked programs. Inmates were used in the kitchen to assist in cooking chores; for clean-up in the corridor areas, and for painting and renovating. Projected plans for the future include the upgrading of the hot water system and hydro facilities and the renovation of floors in the cellar and cell block areas.

During the day, visits were made by the Salvation Army, by Chaplains from the Guelph Correctional Centre, by Alcoholics Anonymous representatives, by library volunteers and by a Sociology student who visited once a week to chat with the inmates.

During the evenings, most inmates watched television or movies, listened to the radio, read, or played cards and games.

Despite the overcrowding and poor physical facilities, the morale of the Guelph Jail was observed to be generally good. All segments of the institutional population said that although the atmosphere was boring, there was certainly no tension.

## RECOMMENDATIONS

### WE RECOMMEND:

1. THAT THE MINISTRY ESTABLISH, AS A MEASURE TO HELP RELIEVE OVERCROWDING AT THE GUELPH JAIL, A COMMUNITY RESOURCE CENTRE; AND
2. THAT THE MINISTRY ALLOW THE SUPERINTENDENT ADDITIONAL STAFF TO ENABLE HIM TO POST ANOTHER CORRECTIONAL OFFICER IN THE CONTROL ROOM AREA SO AS TO ALLOW FOR INCREASED SECURITY BOTH OF THE INMATES AND CORRECTIONAL OFFICERS; AND
3. THAT THE MINISTRY ENSURE THAT AN ADEQUATE AND ON-GOING STAFF TRAINING AND DEVELOPMENT PROGRAM IS IN OPERATION IN THIS FACILITY AS SOON AS POSSIBLE. (In September, 1977, we were informed that this recommendation had been implemented in May, 1977.)

## KITCHENER JAIL

### GENERAL

The Kitchener Jail, located 70 miles west of Toronto, was built in 1853 and has an official inmate capacity of 37, but its capacity will increase to 89 by September, 1977, providing renovations to a former juvenile training school facility are completed to convert it into a maximum-security institution. Until then, however, the jail capacity will remain at 37, with an additional 10-20 beds available for minimum-security and intermittent inmates at the renovation site in Galt.

As of October 17, 1976, the jail's official staff complement included 10 management and 20 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

On December 2, 1977, the Minister of Correctional Services told the Legislature that the Kitchener Jail would be closed in early March, 1978, and that most of the inmates would be transferred to the renovated Churchill House in Cambridge. The Churchill House, which has been renovated with inmate labour, will house 60 inmates in both cells and dormitories.

### INMATE POPULATION

As the figures below illustrate, the Kitchener Jail has been overcrowded since at least 1972. The figures were supplied by the Ministry and all are as of the fiscal year end of March 31.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	39	39	39	37	37	37
Greatest Number	63	63	76	93	75	104
Least Number	22	24	31	32	25	43
Average	44	42	52	60	56	69

In mid-November, 1975, the jail housed 59 inmates.

On October 17, 1976, the inmate count was 95, and on January 27, 1977, the inmate population was 108. (Of this total, 94 were at the 37-bed jail, and 14 were housed at the Galt Annex site.) By July 22, 1977, the inmate population had dropped to 50 (43 at the jail and 7 at the annex.)

### Remand Prisoners

On October 17, 1976, 32 of the jail's 95 inmates were on remand awaiting bail, the setting of a trial date, or trial.



According to a special study of remand prisoners completed by the Ministry, the jail housed 39 remand inmates on October 25, 1976, as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
20	1 week
8	2 weeks
3	3 weeks
1	5 weeks
1	6 weeks
1	7 weeks
2	8 weeks
2	12 weeks
1	15 weeks

#### Court Transfers

During the week of October 18-22, 1976, 49 inmates were processed and transferred from the jail to the local court.

#### Intermittent Inmates

On October 17, 1976, 35 of the jail's 95 prisoners were serving intermittent sentences. As of January 27, 1977, 36 of 108 inmates were serving intermittent sentences.

#### Community Resource Centre

The Kitchener Jail is not served by a Community Resource Centre, and the Ministry has no plans to establish one within the near future. (The C.R.C. which had been used by this jail was transferred to the jurisdiction of the Burtch Correctional Centre in August, 1975. However, the jail retains access to the C.R.C.)

#### Future Building and/or Renovation Program

The Government had approved plans for a 200-bed \$13.53 million Detention Centre to replace the Kitchener and Guelph Jails, but funds were not available in 1976-77 for the acquisition of land. Even if the funds had been made available in 1977-78, and assuming that a suitable site could have been located and construction started soon after, the new detention centre would not have been in operation until about 1982.

(In the interim, the Ministry had no renovation plans for the Kitchener Jail.)

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 170-bed detention centre to replace both the Guelph and Kitchener Jails. It would be expanded to a 320-bed unit by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 160 inmate beds by 1986 and 382 inmate beds by 2001. The Guelph and Kitchener Jails have a current official capacity of 65 inmates (not including the Kitchener Jail Annex which has an official capacity of 62 inmates).

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Guelph-Kitchener proposals were prioritized as 6th.

In August, 1977 we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Kitchener Jail and Annex by 1986 would be 72.

The current capacity of the institution is 37 (99 including Annex) inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

There are currently no plans to proceed with the formerly proposed detention centre to replace the Kitchener and Guelph Jails.

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

## STAFFING

NOTE: Management = M = Superintendent  
Assistant Superintendent  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	7/20 (1:2.9)	13/37 (1:2.8)
Actual M/C Complement	7/20 (1:2.9)	13/37 (1:2.8)
Official Inmate Capacity	37	37
Official C - Inmate Ratio	1:2	1:1
Actual Inmate Population	43	108
Actual C - Inmate Ratio	1:2	1:1.6

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Kitchener Jail spent \$44,852 for staff overtime, and an additional \$88,855 for casual employees. The total additional salary expenditure for the year was \$133,707, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 11.5 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 16 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 6.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased by 4.)

## Correctional Officer Turnover

As of January 27, 1977, the Kitchener Jail had 37 correctional officers on staff.



- 3 ( 8%) had less than 2 years experience.
- 28 (76%) had between 2 and 5 years experience.
- 6 (16%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Kitchener Jail lost 24% of its correctional officers through separations and in 1976 it lost 4% of its correctional officers for the same reason. Based on these figures, the Kitchener Jail, in 1975 was suffering from an excessive staff turnover rate.

## SECURITY

### 1. Escapes

There were 7 escapes between April 1, 1973 and February 22, 1977. Six inmates were recaptured. \*

### 2. Inmate Deaths/Damage

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there had been 7 attempted suicides (4 in 1974, 3 in 1975). There were no inmate deaths during the same two-year period. In April, 1977, however, an inmate successfully committed suicide. The Superintendent also informed us that the amount of damage to the jail caused by inmates was minimal because of the structure's design as well as because of the tight security maintained by correctional staff. He added that because of the security, contraband is not a serious problem, although during the February, 1977, escape of three inmates, pieces of hacksaw blade were apparently smuggled into the jail.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

### 3. Hostage-Taking Incidents

The Superintendent informed us that the last such incident occurred in 1973 when a correctional officer was taken hostage. He was later released unharmed. There have been no similar incidents since then.

### 4. Current Security Problems

During our visits to this institution since 1975, and conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

### SEGREGATION

The Kitchener Jail had two segregation cells on October 17, 1976, and both were in use on that date. The Superintendent informed us that inmates in segregation are visited daily by members of the senior staff and are checked frequently by staff shift supervisors. During the six month period ending October 17, 1976, 75 inmates had been segregated, 43 for disciplinary reasons, 26 involuntarily for their own protection, and 6 voluntarily for their own protection. During the six-month period ending April 30, 1977, 90 inmates were segregated - 46 for disciplinary reasons, 21 for being intoxicated or impaired, 21 for their own protection and 2 for medical reasons.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, nine originated from inmates of the Kitchener Jail. Of that number, there was one each concerning jail meals, medical treatment and the use of segregation. There were no complaints about dental treatment or visiting privileges.

We have included excerpts from the following letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

Included among the letters our office has received from inmates at this jail was one from an inmate who was segregated for protective custody reasons.

He complained that he asked a correctional officer for two aspirins for a headache, waited for over an hour, then,

"At about 6 (p.m.) I called for the guard and it took about 15 minutes for him to come and when I asked again for the aspirin all his reply was is 'It's not here.' I waited a bit more and yelled for the guard again and this time I was in tears for the pain was really

bad and when the guard appeared, the Sarg. was with him, but no aspirins.

"When I asked again they said they'd get them for me right away and I had to wait another 15 to 20 minutes again before they finally got here. It took 2 to 2 1/2 hours for me to get the aspirin...

"And it's not only me either, everyone has to put up with this the guards are all very slow in acting to an inmates request.

"My second complaint is not being able to wash each day. I am lock in my cell each day under protective custody. But when I ask to be let out to wash the answer is later on we haven't got time or something of a similar nature. I only get out to shower when I go to court or when they have an ins(p)ector. At times I gone 4 or 5 days without washing.

"I admit that I have stopped asking recently but all the same I still like to wash once a day at least.

"So if you feel something could be done about this please do. Because they inmate more than myself. Other people are afraid to write you for fear of being put in the hole."

(Our investigation revealed that the inmate had been placed in protective custody at the request of the Crown Attorney and his defence lawyer. The inmate's problems regarding the undue delay in filling requests were resolved by institutional staff, and he requested that no further investigation be made. The Superintendent told our Investigators that arrangements would be made to ensure that the inmates in segregation would be able to wash and shower more often.)

#### INSTITUTIONAL MORALE

In November, 1975, both the staff and an investigative team from the Office of the Ombudsman described the staff morale as low. By October, 1976, the staff morale had shown signs of improvement.

In November, 1975, inmate morale was also described as low by both staff and inmates. However, by October, 1976, inmate morale had shown a slight improvement.

#### Conclusions

The factors which contributed to the low staff morale in November, 1975, included:



- 1) The constant overcrowding.
- 2) The perception of correctional officers that the jail was severely understaffed.
- 3) The absence of standing orders and procedures and a consequent inconsistency in the applications of the rules and regulations.
- 4) The inadequacy of the staff training and development program. Some correctional officers said that there was an urgent need for the Ministry to make efforts to hold courses specifically designed for correctional officers who work in the jail facilities.
- 5) The Ministry of Correctional Services' reluctance to spend money to improve the jail's physical facilities.

By October, 1976, the staff morale had improved for the following reasons:

- 1) The Superintendent had completed and distributed copies of the institution's standard operating procedures.
- 2) Along with a set of directives, guidelines were drawn up for each of the security posts, further adding to the uniformity of operation throughout the jail. Both of these occurrences were described as definite steps forward by the correctional staff.
- 3) The administration attempted to improve the overall security in the institution by adopting an on-going on-the-job staff training program which, in part, reduced the inconsistency in the application of rules and regulations.

The factors which contributed to the low inmate morale in November, 1975, included:

- 1) The chronic overcrowding and the antiquated physical design of the jail which deprived inmates of adequate program and recreational facilities which could have enabled them to relieve some of their boredom, tensions and frustrations.
- 2) The absence of institutional standing orders which left inmates in the position of not knowing when they were breaking the jail's regulations.

By October, 1976, inmate morale had improved slightly because the administrators had vigorously applied themselves

to improving conditions for both the inmates and staff. These improvements included:

- 1) The reactivation of showers in each living area so that inmates no longer had to be escorted to the basement for showers.
- 2) The renovations to the chapel.
- 3) The conversion of an old x-ray room into a medical examining room.
- 4) The conversion of a former storage room into an admitting and discharge area.
- 5) The repainting of the jail.
- 6) The installation of modern alarm systems and fire-fighting equipment.
- 7) Jail procedures and orders had been clearly set out.

Our initial 1975 investigative team report on the Kitchener Jail emphasized the problems involved because of overcrowding.

Correctional Officers also said that their morale was at a low ebb mainly because of the inconsistency in administrative orders. In part, this was a result of the lack of standing orders and procedures. In addition, Correctional Officers complained about the inadequacy of staff training and development programs. They emphasized that there was a pressing need for the Ministry to make a greater effort to hold courses specifically designed for Correctional Officers who work in jails. This proposal was fully supported by the administration at the Kitchener Jail.

Inmates frequently complained that it was very difficult for them to sleep at night and that their nerves were on edge. They complained of some fellow inmates who, they said, had psychiatric problems and were very disruptive and menacing to the normal inmate population. They also complained that because of overcrowding and the antiquated physical design of the jail, they were deprived of adequate programs and recreational facilities that would enable them to work out some of their inner tensions and frustrations.

During the weekend prior to our visit in October, 1976, the inmate count was listed at 92 inmates. Even though 27 were transported and housed at the Galt School Annex during the weekend, there were still 62 inmates at the Kitchener Jail, which had an official capacity of 37. Because of the overcrowded conditions, Correctional Officers complained that they were severely understaffed and this view was echoed by the jail Superintendent.

Despite the many problems, our Investigators concluded that the administrators had applied themselves vigorously in order to improve conditions for both inmates and staff. Recent contacts with the jail have indicated that showers

have been reactivated in each living area so that inmates no longer have to be escorted to the basement for showers, thereby saving valuable staff time. In addition, the chapel area has been rep paneled, an old x-ray room has been converted into an examining room for the doctor's use, a former mop room has been converted into an admitting and discharge area and the jail has been repainted.

In the area of management-staff relations, the administration had taken gigantic strides. The Superintendent finalized and distributed copies of the institution's standard operating procedures. Along with a set of directives, a guideline was drawn up for each security post, further adding to the uniformity of operation throughout the jail. Both of these events were perceived as definite steps forward by the correctional staff. The administration also attempted to improve the overall security in the institution by adopting an on-going on-the-job staff training program which, in part, reduced the inconsistency in the application of rules and regulations.

A Grand Jury report dated November 7, 1975, applauded the staff's efforts to upgrade an old facility, but concluded, in part, that a new facility was definitely required.

#### CONCLUSIONS AND RECOMMENDATIONS

OUR ON-GOING VISITS TO THIS INSTITUTION HAVE LED US TO THE CONCLUSION THAT ALTHOUGH THERE WERE SOME OBVIOUS INTERNAL PROBLEMS IN LATE 1975, MAINLY CONCERNING THE JAIL'S PHYSICAL FACILITIES AND THE LACK OF STANDING ORDERS, BOTH THE ADMINISTRATION AND THE STAFF ARE TO BE COMMENDED FOR THEIR EFFORTS TO MAKE THE JAIL A MORE HUMANE ENVIRONMENT FOR BOTH CORRECTIONAL OFFICERS AND INMATES.

##### WE RECOMMEND:

1. THAT THE MINISTRY MAKE IMPROVEMENTS TO THE RECREATIONAL FACILITIES AT THE JAIL TO RELIEVE INMATE BOREDOM; AND
2. THAT THE MINISTRY INVESTIGATE THE POSSIBILITY OF ESTABLISHING A COMMUNITY RESOURCE CENTRE FOR THE USE OF THE KITCHENER JAIL; AND
3. THAT THE MINISTRY ENSURE THE CONTINUATION OF THE ON-GOING STAFF TRAINING AND DEVELOPMENT PROGRAM IN THIS FACILITY.



## MILTON JAIL

### GENERAL

The Milton Jail, located 30 miles west of Toronto, was built in 1878 and adjoins the Court House. It has an official capacity of 31 inmates. Its official staff complement, as of October 5, 1976, included 6 management and 15 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

### INMATE POPULATION

The Milton Jail has been usually overcrowded for the past five years as the following figures, all supplied by the Ministry, and all as of the fiscal year end of March 31, indicate:

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	29	29	29	29	25	31
Greatest Number	37	37	39	49	54	54
Least Number	10	10	8	18	17	27
Average	37	23	23	29	38	41

On November 14, 1975, when the official capacity of the jail was 25, it housed 37 inmates.

On October 5, 1976, when its official capacity had been raised to 31 due to the completion of a dormitory for intermittent and TAP inmates, the jail held 43 inmates, and on January 27, 1977, the prisoner count was 36. By May 16, 1977, there were 54 inmates in the jail - 20 intermittents, 12 sentenced and 22 on remand - but on July 22, 1977, the inmate population had dropped to 32.

(In December, 1977, the Ministry informed us that with the introduction of double-bunking in the Hamilton-Wentworth Detention Centre, to open in early 1978, some inmates of the Milton Jail may be transferred there to relieve overcrowding problems at the Milton Jail.)

### Remand Prisoners

On November 14, 1975, according to the Superintendent, 3 of the jail's 37 inmates were remand prisoners awaiting bail, the setting of a trial date, or trial. On October 5, 1976, according to the Superintendent, 3 of 43 inmates were on remand.

But according to a special study completed by the Ministry of all inmates on remand as of October 25, 1976, the jail held 24 remand inmates as follows:

Number of Inmates

Length of Remand

4	less than 1 week
4	1 week
4	2 weeks
3	3 weeks
3	5 weeks
1	7 weeks
1	11 weeks
1	13 weeks
1	15 weeks
1	22 weeks
1	50 weeks

Court Transfers

During the week of October 4-8, 1976, 24 inmates were processed and transferred from the jail to the adjoining courthouse.

Intermittent Inmates

On November 14, 1975, 5 of the jail's 37 inmates were serving intermittent sentences, and on October 5, 1976, 2 of 43 inmates were intermittent prisoners.

Community Resource Centre

The Milton Jail is not served by a Community Resource Centre and the Ministry has no immediate plans to establish one in the near future. A request from the Milton Jail that a C.R.C. be established to serve both the jail and the Maplehurst Correctional Complex has been given, however, a reasonably high priority in the Ministry's future C.R.C. plans.

Future Building and/or Renovation Program

The Government had approved plans for the construction of a \$14 million 100 to 200-bed Detention Centre to be located on the same grounds as the Maplehurst Correctional Complex, just outside of Milton. When the new centre was completed, the Milton Jail was to close, but in early 1977, according to the Ministry, the original plans for the centre were being re-examined with a view to lowering the costs of the new institution. Even if plans were approved in 1977-78, the new centre would not be operating until about 1983.

To help ease overcrowding, a dormitory has been constructed to house intermittent and short-sentenced inmates. There are hopes to expand this area so as to allow for a total additional 24 inmate spaces in the near future.

There are also plans to expand the visiting facilities, a staff locker room, the administrative area and the interview rooms. In addition, the jail's administrators hope to

provide space for three segregation cells. There are no such cells in the jail at the moment.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a new 200-bed detention centre to be built on the grounds of the Maplehurst Correctional Complex near Milton. Also included was a plan for a new 300-bed detention centre to be built in Peel by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 227 inmate beds by 1986 and 520 inmate beds by 2001. The Milton Jail has a current official capacity of 31 inmates. (The figures were based upon Brampton-area inmates, now housed in the Toronto West Detention Centre, being incarcerated in the Milton-Peel units.)

Of the 36 Ministry facilities dealt with in the new accommodation plan, the new detention centres were prioritized as 3rd.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Milton Jail by 1986 would be 60.

The current capacity of the institution is 31 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")



Currently, the Ministry's construction plans call for the construction of a 180-bed detention centre at a cost of \$14 million to replace the Milton Jail. The Centre will be built on the site of the Maplehurst Correctional Complex.

There are no plans to proceed, at this time, with the proposed 300-bed Peel Detention Centre.

Although an analysis of the jail's current capacity (31), the average maximum number of inmates during the last six years (45), and the Ministry's projected inmate population by 1986 (60), make it appear that a 180-bed centre would not be required, Ministry officials plan to use some of the space to house Brampton-area inmates who are currently using about 60 beds in the Metro West Detention Centre in Toronto.

By including the Brampton-area inmates, the combined inmate population projection for 1986 is 157 and we believe that these figures justify the Ministry's current plans.

#### STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent (C.O.5)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	6/12 (1:2)	6/15 (1:2.5)
Actual M/C Complement	6/12 (1:2)	6/15 (1:2.5)
Official Inmate Capacity	29	31
Official C - Inmate Ratio	1:2.4	1:2
Actual Inmate Population	34	36
Actual C - Inmate Ratio	1:2.8	1:2.4

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Milton Jail spent \$34,326 for staff overtime, and an additional \$32,365 for casual employees. The total additional salary expenditure for the year was \$66,691, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 5.7 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 13 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 6.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased to 17.)

### Correctional Officer Turnover

As of January 27, 1977, the Milton Jail had 15 correctional officers on staff.

- 6 (40%) had less than 2 years experience.
- 4 (27%) had between 2 and 5 years experience.
- 5 (33%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Milton Jail lost 5.8% of its correctional officers through separations and in 1976 it lost 23.5% of its correctional officers for the same reason. Based on these figures, the Milton Jail was suffering, in 1976, from an excessive staff turnover.

### SECURITY

#### 1. Escapes

There were 3 escapes during the fiscal years April 1, 1973 to March 31, 1976. Two inmates were recaptured. \*

#### 2. Inmate Deaths/Damage

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there had been one attempted suicide. There had been no inmate deaths during the same time period.

We were also informed that there is little, if any, inmate damage caused to the institution.

#### 3. Hostage-Taking Incidents

The Superintendent informed us that there have been no hostage-taking incidents at the jail.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

#### 4. Current Security Problems

During our visits to this institution since 1975 and conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

Two inspection reports, completed by Inspectors with the Ministry's Inspections and Standards Branch, and dated January, 1975, and December, 1975, do not reveal any major security problems.

In June, 1977, the Superintendent informed us that after an inmate escape in 1976 a number of additional security precautions were implemented including the installation of security window screening, the establishment of a secure observation port, and the erection of a new wall around the kitchen yard.

#### SEGREGATION

The Milton Jail has no segregation cells, but inmates requiring segregation are locked in their own cells when necessary. The Superintendent informed us that such inmates are checked every half-hour. On the date of our last correctional report visit, October 5, 1976, no inmates were being segregated. In the six month period up to October 5, 1976, 18 inmates had been segregated, all for disciplinary purposes.

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 10 originated from inmates at the Milton Jail. Of that number, three dealt with medical treatment, three with the jail's meals, one with segregation practices, and one with visiting privileges. There were no complaints regarding dental treatment.

We have included excerpts from the following letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

Among the letters sent to us by inmates from the Milton Jail was one from an inmate who had spent two weeks in the jail and was to be released shortly. He wrote, in part,

"The weather has been seasonable but dry; yet the keepers have refused to allow the inmates to receive any exercise at all. Upon request for exercise, the reply has been, they have had men with machinery doing repairs to the premises and therefore they are unable to allow us to have some yard exercise.

"Granted the fact that there has been men working at these premises, these men take coffee, and lunch breaks. I feel



even 15 minutes or so, minutes under these circumstances or even an exercise period after the men have finished for the day would be sufficient under these conditions in lieu of normal period.

"Compounding the lack of exercise and fresh air is the fact that heat has been maintained at an extremely high temperature despite repeated request by myself and others. Also under these circumstances with the heat and lack of ventilation the fumes from the welders and dust from the masons it is my belief that this constitutes a health hazard.

"Let me again state that my release is imminent and I still have a concern to rest of the inmate who have to contend with these problems."

(This inmate was released 10 days after sending his letter to us, and we informed him that his concerns would be brought to the attention of jail officials and would also be taken into consideration when our Correctional Institutions Report was being prepared.)

#### INSTITUTIONAL MORALE

In November, 1975, the Superintendent, correctional officers and inmates assessed the staff morale as low. By October, 1976, the staff morale had improved considerably.

In November, 1975, inmate morale was also assessed as low by staff and inmates, but it had improved by October, 1976.

#### Conclusions

The factors which contributed to the low staff morale in November, 1975, included:

- 1) The absence of an on-going staff training program. Officers felt that the Ministry had not made any considerable investment in them since their initial orientation period and they saw very little opportunity for advancement.
- 2) There was a degree of internal tension and a lack of confidence in the Superintendent. Several officers complained that the institution lacked proper direction and supervision.
- 3) The poor working conditions in the jail. The jail was old and constantly overcrowded.

The factors which contributed to the low inmate morale in November, 1975 included:

- 1) Inmate inaccessibility to the Superintendent.
- 2) Tensions between inmates and staff. On at least six separate occasions, the Office of the Ombudsman received letters alleging assaults by correctional officers on inmates.
- 3) Constant inmate overcrowding.
- 4) The high number of remand inmates.
- 5) Insufficient programs and poor physical conditions in the jail.
- 6) The quality of food in the jail.

Factors which contributed to the heightened staff morale by October, 1976, included:

- 1) The appointment of a new Superintendent who made himself accessible to both staff and inmates and who provided the leadership and direction needed to improve the operation of the jail.
- 2) The Superintendent's initiation of a program of ongoing staff training and development.
- 3) The increased adherence to standing orders and institutional rules and regulations.
- 4) The end of conflicts which had existed between the previous Superintendent and the staff.

By October, 1976, inmate morale had improved for several reasons:

- 1) The completion of the upper dorm which was able to house 6-8 inmates and to provide the opportunity for an expanded TAP program.
- 2) The Superintendent's promise to introduce a Manpower Counselling Program to help inmates acquire jobs upon their release.
- 3) The Superintendent's requisitioning of cards, games, Bullworkers, and punching bags for inmates to use in the corridors.
- 4) The posting of the Institutional Rules and Regulations in the corridors.
- 5) The Superintendent's accessibility to inmates and his attempts to handle problems with dispatch.

At the time of our initial visit to the Milton Jail in November, 1975, there was an obvious overcrowding problem combined with staff shortages and some inter-staff tensions.

The official inmate capacity of the jail was 25, however, in November, 1975, the actual count was 37 inmates. With reference to the staff problems, there was a degree of internal tension and lack of confidence between some of the officers and the Superintendent. Several officers complained initially that the institution lacked proper direction and supervision. The Ministry of Correctional Services took action to rectify the situation and in October, 1976, a new Superintendent was appointed to the Milton Jail. His appointment improved inmate and staff morale. He spoke of his intentions to introduce a Manpower Counselling program to help inmates acquire jobs upon their release, and he requisitioned games, such as cards and cribbage, for the inmates. He was also considering purchasing Bullworkers (exercisers) for the inmates to use in the corridors.

In our estimation, there was no indication that there was any undue stress or tension within the institution after the new Superintendent's appointment.

There was an orientation for inmates to the jail's operations through the posting in every corridor of the guidelines respecting inmate behaviour in the jail.

The renovation of an upper dorm to house 6 to 8 minimum security inmates was completed prior to our visit in October, 1976. The new Superintendent told us that he was also attempting to acquire space in the old Registry Office for the purpose of housing intermittents and Temporary Absence Program inmates. Another plan was to use the unused Registry Office and renovate it for use as a visiting area so that more space would be available for private visits between inmates, lawyers and professional staff.

(In April, 1977, the Superintendent informed our office that he had been able to take over about 40 per cent of the floor space of the old Registry Office and that he has used the space to increase the interview area for professional and legal visits and to locate his office and that of his staff training officer there.)

One of the new Superintendent's greatest concerns was his staffing situation. He pointed out that the addition of two correctional officers to the staff would free personnel for staff training and development.

We feel that the operation of the Milton Jail has been greatly improved by the appointment of a new Superintendent.

Coincidental with the increase in staff morale was the evident rise in inmate morale. Inmate boredom still affected the jail's functioning, but attempts were made to alleviate this problem. Less than 12 months ago, the Milton Jail was a hot-bed of staff in-fighting, compounded by inmate allegations of guard brutality, but as of our recent



visits to the jail, it is encouraging to see positive changes in motivation and attitude in both staff and inmates. The new administration has been whole-heartedly involved in trying to alleviate some of the concerns of both groups and to make the institution as bearable a place to work and live as possible.

In coming to the above conclusions, we have carefully considered the representations made to the Ombudsman pursuant to section 19(3) of The Ombudsman Act.

Section 19(3) of The Ombudsman Act, 1975, states in part,

" ... If at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel."

On October 21, 1977, a letter was written to the former Superintendent of the Milton Jail pursuant to section 19(3) of our Act. It reads as follows:

"Dear [name deleted]:

Re: Our File No. 11413-CJL

"My investigation into complaints relating to the problems in correctional institutions is close to completion.

You acted as Superintendent of the Milton Jail from July 30, 1973 to September 1, 1976. During this period our investigation indicates the presence in this institution of some factors that might well be the subject matter of comment and recommendation in my final report.

"Section 19(3) of The Ombudsman Act provides as follows:

'The Ombudsman may hear or obtain information from such persons as he thinks fit, and may make such inquiries as he thinks fit and it is not necessary for the Ombudsman to hold any hearing and no person is entitled as of right to be heard by the Ombudsman, but, if at any time during the course of the investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to

that organization or person the opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel.'

"On the basis of some of the facts so far ascertained following a lengthy investigation, I am of the view that it would be open to me to find that it was the perception of several correctional officers that the institution lacked proper direction and supervision, that inmates felt that the Superintendent was inaccessible to them, that inmate and staff morale was heightened as a result of a new Superintendent who made himself accessible to inmates and who attempted to handle problems with dispatch, and that the operation of the Milton Jail was greatly improved by the appointment of a new Superintendent.

"I am of the view that you should be given an opportunity to address yourself to the possible conclusions set out above before I prepare my final report on this investigation.

"I wish to assure you that although, in my opinion, there are grounds based on the investigation thus far conducted for me to make a report that would justify the above-noted conclusions and recommendations, my views remain open and I await the representations to be made to me by you or on your behalf. If you wish to make such representations in writing or by counsel, would you please let me know within seven days. Due to uncertainties in the delivery of mail, may I suggest that you respond within seven days by a collect telegram. If I do not hear from you within that time, I shall proceed to make my final conclusions and recommendations.

"I am enclosing a copy of The Ombudsman Act for your convenience.

Yours faithfully,

Arthur Maloney

Encl.

"P.S. You may also wish to respond to this letter by a collect telephone call. If so, please call my private line at [number deleted]."

In response to this letter, the former Superintendent of the Milton Jail telephoned the Office of the Ombudsman and spoke with Philip Patterson, Director of Correctional and Psychiatric Services. He stated that he did not wish to

make representations in person and that his comments would be contained in a forthcoming letter. A letter was received at the Office of the Ombudsman on November 3, 1977. It reads as follows:

"October 26, 1977

Mr. Arthur Maloney, Q.C.,  
Ombudsman for Ontario,  
600 Queen Street, W.,  
Suite 600,  
Toronto, Ontario,  
M5H 2M5.

Dear Sir:

RE: Your File No. 11413-CJL

"I have carefully reviewed your letter dated October 21st., 1977, which was addressed to me personally.

"I have the greatest respect for your office, however, I do not agree with some of the comments of your letter. Page 2, paragraph 1, reads: '..... it was the perception of several correctional officers that the institution lacked proper direction and supervision.....' During my tenure as Superintendent of the Milton Jail I wrote a complete set of Standing Orders and in 1976 revised these and brought them up to date with the ever changing policies and directions of my Ministry. I ensured staff adherence to Standing Orders by acting on written reports of Shift Supervisors and from my own observations. Counselling and documentation of these actions may be found on individual personnel files.

"It is true that the Shift Supervisors did not table sufficient written reports, even after numerous directions from me to do so. The importance of written reports and documentation was stressed continually at all of our Senior Management meetings. There was a marked improvement however, it had not reached my expectations at time of leaving. The Shift Supervisors were too closely affiliated with line staff and due to this they were prone to condone many instances of staff behaviour which I feel should have been reported to me.

"I read further: '..... that inmates felt that the Superintendent was inaccessible to them...' This is not true. I dealt with misconduct reports myself. Misconduct records verify this. I saw all inmates who requested to see me, either formally by means of the Inmate Request Forms or informally during my tours of the institution.



"Certainly as a human being I made some errors. I have no personal concerns as to my job performance as Superintendent of the Milton Jail. In my present position... I am carrying out my duties in the same manner as always, loyal, honest, straight forward and with diligence. I look forward to the future, rather than [sic] dwelling in the past.

"It is not my intent to further pursue this matter primarily because as is suggested in your letter the allegations if they can be called that are 'the preception [sic] of several Correctional Officers.'

"Please accept my thanks for giving me the opportunity to respond to this matter.

Yours truly,

[name deleted]"

As already indicated, the Ombudsman carefully considered the written representations contained in the former Superintendent's letter of October 26, 1977. Notwithstanding these representations, the Ombudsman remains of the view that several correctional officers held the view that the institution lacked proper direction and supervision, the inmates felt that the Superintendent was inaccessible to them, and that, as a result of the appointment of a new Superintendent, inmate and staff morale was heightened and, as a result, the jail operated more smoothly.

#### CONCLUSIONS AND RECOMMENDATIONS

THE IMPROVEMENT IN THE OPERATION OF THIS JAIL SHOWS THAT PROPER LEADERSHIP MAKES A SIGNIFICANT POSITIVE DIFFERENCE TO THE OPERATION OF AN INSTITUTION, NOTWITHSTANDING POOR PHYSICAL FACILITIES AND INMATE OVERCROWDING.

WE RECOMMEND:

1. THAT THE MINISTRY COMPLETE ITS PLANS FOR THE CONSTRUCTION OF A NEW DETENTION CENTRE TO BE BUILT ON THE GROUNDS OF THE MAPLEHURST COMPLEX AND THAT IT SEEK GOVERNMENT APPROVAL TO BEGIN CONSTRUCTION ON THE NEW CENTRE BEGIN AS SOON THEREAFTER AS POSSIBLE; AND
2. THAT, IF THE MINISTRY FOLLOWS OUR RECOMMENDATION (OUTLINED UNDER THE BRAMPTON JAIL) TO ESTABLISH A COMMUNITY RESOURCE CENTRE IN THE BRAMPTON AREA, THE MINISTRY CONSIDER USING PART OF THE PROPOSED RESOURCE CENTRE FOR APPROPRIATE MINIMUM-SECURITY INMATES FROM THE MILTON JAIL; OR

3. THAT THE MINISTRY ESTABLISH A COMMUNITY RESOURCE CENTRE FOR THE USE OF THE MILTON JAIL.

SAULT STE. MARIE JAIL

GENERAL

The Sault Ste. Marie Jail, located 430 miles northwest of Toronto, was built in 1914 and has an official capacity of 32 male and 7 female inmates. (A recently-converted office area added 25 beds in 3 dormitories, but it is undergoing renovations to meet fire safety standards.)

The jail's official staff complement as of October 5, 1976, included 9 management and 21 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

INMATE POPULATION

In mid-November, 1975, when the jail's official capacity was 39 inmates, it held 69 prisoners.

On October 5, 1976, while its capacity remained at 39, it housed 61 inmates. On January 28, 1976, when only part of the dormitory conversions were complete and the jail had a capacity of 56 inmates, it held 52 prisoners, and on February 22, 1977, the Acting Superintendent told our office that although the official capacity was now 64 inmates, "We're already over 60." On July 22, 1977, the jail held 43 inmates.

The following figures indicate that the Sault Ste. Marie Jail has experienced an overcrowding problem for at least five years. All figures, supplied by the Ministry, are as of the fiscal year end of March 31.

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	39	39	39	39	39	56
Greatest Number	54	54	64	67	83	89
Least Number	16	18	22	28	20	32
Average	35	31	42	45	56	59

Remand Prisoners

In mid-November, 1975, 44 of the jail's 69 inmates were on remand either awaiting bail, the setting of a trial date, or trial. On October 5, 1976, 17 of 39 prisoners in the jail were on remand.

According to a special study completed by the Ministry of all remand inmates as of October 25, 1976, the Sault Ste. Marie Jail had 29 remand prisoners as follows:



Number of Inmates

Length of Remand

12	less than 1 week
3	1 week
1	2 weeks
1	3 weeks
4	4 weeks
2	9 weeks
1	10 weeks
1	11 weeks
2	15 weeks
1	19 weeks
1	23 weeks

Court Transfers

During the week of October 4-8, 1976, 36 inmates were processed and transferred from the jail to the local court.

Intermittent Inmates

In mid-November, 1975, 11 of the jail's 69 inmates were serving intermittent sentences, and on October 5, 1976, there were 8 of 61 inmates serving such sentences.

Community Resource Centre

The Sault Ste. Marie shares a Community Resource Centre - Lake Hope Park in Blind River - with the Sudbury Jail.

Future Building and/or Renovation Program

The Government had approved plans for the construction of a \$4.36 million 100-bed addition to the Sault Ste. Marie Jail but the high priority project was changed to a 60 - 80 bed addition. Even if construction had begun in 1977-78, it was unlikely the new facility would be operating until about 1982.

In the interim, the Ministry had no renovation plans for the Sault Ste. Marie Jail.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a new 100-bed detention centre to be built in Sault Ste. Marie, with an addition of 50 beds to be constructed by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 94 inmate beds by 1986 and 151 inmate beds by 2001. The Sault Ste. Marie Jail has a current official capacity of 64 inmates (39 until dormitory renovations are completed).

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Sault Ste. Marie project was prioritized as 5th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Sault Ste. Marie Jail by 1986 would be 63.

The current capacity of the institution is 64 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

Currently, the Ministry plans to construct a new 160-bed detention centre in the Sault Ste. Marie area. The Government's Management Board has approved the Ministry's proceeding to the design stage with the project. If all segments of the program proceed, the new centre will open in late 1982 or early 1983.

Although the Ministry plans to build a 160-bed centre, our analysis of the current capacity of the jail (64), the average maximum number of inmates during the last six years (69), and the Ministry's projected inmate population for 1986 (63), leads us to believe that an 80-bed centre should be constructed.

In 1977 dollars, the cost of such a centre would be \$6.4 million. (The Ministry hopes to reduce its cost-per-inmate-bed from the current \$80,000 to \$55,000 - but if inflationary forces continue, it is unlikely that by 1982 or 1983, when the centre might be opened, the final cost would be substantially reduced.)

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

## STAFFING

NOTE: Management = M = Superintendent  
Deputy Superintendent  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77</u> *
Official M/C Complement	7/19 (1:2.7)	7/21 (1:3)
Actual M/C Complement	7/19 (1:2.7)	7/20 (1:2.9)
Official Inmate Capacity	39	56
Official C - Inmate Ratio	1:2	1:2.7
Actual Inmate Population	58	52
Actual C - Inmate Ratio	1:3	1:2.6

\* Vacancies - According to the staffing formula in effect on January 27, 1977, the jail was short 1 Maintenance/Correctional Officer. (As of June, 1977, there were no staff vacancies at this jail.)

From April 1, 1975 to March 31, 1976, the Sault Ste. Marie Jail spent \$25,735 for staff overtime, and an additional \$75,271 for casual employees. The total additional salary expenditure for the year was \$101,006, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 8.7 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 17 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 6.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased to 24.)



### Correctional Officer Turnover

As of January 27, 1977, the Sault Ste. Marie Jail had 20 correctional officers on staff.

- 1 ( 5%) had less than 2 years experience.
- 4 (20%) had between 2 and 5 years experience.
- 15 (75%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Sault Ste. Marie Jail lost 4% of its correctional officers through separations and in 1976 it lost 4% for the same reason. Based on these figures, the Sault Ste. Marie Jail was not suffering from an excessive staff turnover rate.

### SECURITY

#### 1. Escapes

There were 2 escapes during the three fiscal years April 1, 1973 to March 31, 1976. Both inmates were recaptured. \*

#### 2. Inmate Deaths/Damage

The Superintendent informed us that during the one-year period ending in mid-November, 1975, there had been 15-20 attempted suicides. There had been one inmate death, by hanging, during the two-year period ending in mid-November, 1975.

This jail suffers from little inmate damage. The Superintendent told our Investigators in October, 1976, that if he had to place a dollar amount on the amount of damage done to the jail within the past year, it would be under \$200.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

### 3. Hostage-Taking Incidents

The Superintendent informed us that in August, 1975, a student correctional officer was taken hostage and a correctional officer was assaulted. Sault Ste. Marie police surrounded the jail and through jail staff efforts, the hostage was released.

### 4. Current Security Problems

During our November, 1975, and October, 1976, visits, only one major security concern was expressed by both the Superintendent and correctional officers. Correctional personnel recommended that the 4 1/2 acre jail site be surrounded by a perimeter fence so as to preclude the possibility of contraband being passed to inmates while in the recreation yard. The Superintendent informed us that he had requested the Ministry of Government Services to either (a) increase the parking area in front of the jail, or (b) erect an electrical barrier across the driveway, thereby stopping visitors from parking their cars in the rear of the jail near the recreation yard fence.

(As of April, 1977, none of the security proposals had been acted upon. In June, 1977, the Superintendent informed us that a yard picket shack had been erected to allow for observation of the exercise yard by a correctional officer located outside of the yard.)

### SEGREGATION

The Sault Ste. Marie Jail has two segregation cells, neither of which was occupied on October 5, 1976. During the six month period ending October 5, 1976, 16 inmates had been placed in segregation, all for disciplinary reasons. The Superintendent informed us that he communicates with segregated inmates on a daily basis.

The Superintendent's philosophy regarding the use of segregation was that it should be used as sparingly as possible and only as a last resort. Our Investigators concluded that there is no general abuse of segregation as an inmate disciplinary tool by the jail's administrators.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, six originated from inmates at the Sault Ste. Marie Jail. Of that number, one concerned the jail's meals and one related to the use of segregation. There were no complaints about medical or dental treatment or about visiting privileges.

### INSTITUTIONAL MORALE

Between November, 1975 and October, 1976, the staff at the Sault Ste. Marie Jail and the investigative team from the Office of the Ombudsman assessed staff morale as high.

Between November, 1975, and October, 1976, the staff, inmates and investigative team from the Office of the Ombudsman assessed inmate morale as medium.

### Conclusions

The factors which contributed to high staff morale between November, 1975 and October, 1976, included:

1. The strong leadership displayed by the Superintendent and the Deputy. Staff felt a great deal of support from administrators and found them easily accessible. Their presence in the corridors and cell blocks enforced leadership and exhibited a willingness on their part to resolve problems immediately.
2. Regular staff meetings which allowed for the review of how rules and regulations were applied and discussions of security functions in the institution.
3. A low staff turnover and good staff team work. The only staff change in the past year occurred because of a retirement. With this low staff turnover, there is a great deal of build-up of experience in the staff. For example, as of January 27, 1977, 75% of the correctional officers had more than five years experience.
4. Consistency in the application of rules and regulations.

Despite these strengths, there were three areas of concern to staff members including constant overcrowding, a lack of on-going staff training and development, and a shortage of correctional staff. Correctional officers felt that there was no allowance in the official staff complement to compensate for annual and sick leave, statutory holidays and staff training.

(As of April, 1977, the Superintendent had plans ready to begin an on-going training program in May covering such areas as crisis intervention, self-defence, fire prevention and security procedures.)

Factors which contributed to the medium inmate morale included:

1. The outdated facilities which restricted inmate programs. There was insufficient space in the jail to allow for any form of meaningful activity.
2. The jail was constantly overcrowded. A large number of inmates were on remand awaiting bail, the setting of a trial date or trial.



Nevertheless, the high staff morale, the consistent application of rules and regulations and the leadership of the administration contributed to the medium level of inmate morale in the jail.

This facility was described by our initial investigative team in November, 1975 as a basically well-managed custodial institution which suffered from chronic overcrowding, inadequate staffing and a lack of facilities due to its small size.

The official capacity of this institution was 32 male and 7 female inmates. At one time during 1975, the inmate count peaked at 78 inmates. Subsequent to the November, 1975 survey, the jail was visited on four separate occasions. The conclusions of each of the Investigators who visited there were the same - the institution was chronically overcrowded, short-staffed and lacking in facilities.

A major contributor to the overcrowding condition was the large number of remand inmates awaiting trial. At certain times, there were as many as 44 inmates in this category out of the total inmate population of 69. The Sault Marie Jail - as was the case in many other institutions - clearly did not have the facilities to keep remand inmates for such lengthy periods of time.

The administrators of the jail had requested an increase in their budget for the purposes of hiring additional staff to allow for an expanded staff training program. The administrators had experienced a great deal of difficulty prying staff away from their shifts in order to train them or to get qualified replacement staff to fill in while regular staff training courses were being conducted.

There was also some concern expressed about the security of the recreation yard. Apparently visitors were allowed to park behind the jail next to the recreational area. It would be quite simple for someone to pass contraband through the wire or toss something over the fence into the yard which could permit an inmate to escape.

In order to maintain strict security, the institutional staff proposed either an increased parking area in the front of the jail, or the installation of an electrical barrier across the front of the driveway, thereby keeping cars from the back of the jail.

In spite of these problems, the Sault Ste. Marie Jail had been functioning very well. The tension level was low and the credit for this was given to an excellent line staff which received great support from, and gave great support to, the Superintendent, who ran the institution in a very consistent manner.

Inmate morale was assessed as medium. The main reason for this was the Superintendent's accessibility to inmates. He made daily visits to each cell block and spoke with any inmate who wished his attention. On several occasions, he

had been known to drop into the jail after hours to speak with inmates and staff to ensure that everything ran effectively.

Aside from his accessibility, he introduced programs such as Alcoholics Anonymous, visits by the John Howard Society, the Indian Friendship Centre, the Indian Manpower representative, and the MacDonald House volunteers. He also arranged for staff and inmates to work on projects throughout the community, such as yard clean-up for senior citizens, which resulted in the employment of a few of the inmates.

The correctional officers and the inmates interviewed by our staff implied that the jail's atmosphere largely reflects the personality of the Superintendent and his assistant, both of whom were described by inmates and staff as generally well-liked and highly accessible. This created the usually high staff and inmate morale.

Another indication of the Superintendent's concern about the conditions of the jail was his moving his office and those of some other staff members to a trailer adjacent to the jail. Through renovations to the jail area which had housed his office, he was able to provide additional living space for inmates.

#### CONCLUSIONS AND RECOMMENDATIONS

THERE IS NO DOUBT IN OUR MIND THAT THE SUPERINTENDENT'S CONSTANT CONCERN FOR THE WELL-BEING OF BOTH THE STAFF AND INMATES IN HIS CARE HAS CONTRIBUTED TO THE SMOOTH FUNCTIONING OF THIS INSTITUTION, AND WE FEEL HE IS TO BE COMMENDED FOR HIS EXTRAORDINARY EFFORTS.

#### WE RECOMMEND:

1. THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO MAKE AVAILABLE FUNDS FOR THE ACQUISITION OF LAND FOR AN 80-BED DETENTION CENTRE AND THAT CONSTRUCTION BEGIN AS SOON AS POSSIBLE.

SUDBURY JAIL

GENERAL

The Sudbury Jail is located 244 miles north of Toronto, was built in 1928 and has an official capacity of 59 male and 6 female inmates. On October 5, 1976, its official staff complement included 10 management and 33 correctional personnel. Our observations of this jail began in November, 1975, and have continued to date.

INMATE POPULATION

The Sudbury Jail has experienced a constant overcrowding problem as the following figures, supplied by the Ministry, and all as of the fiscal year end of March 31, indicate:

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Capacity	65	65	65	65	65	65
Greatest Number	119	119	89	105	116	122
Least Number	39	30	41	40	52	55
Average	70	67	69	73	80	77

In mid-November, 1975, the jail held 78 inmates.

On October 5, 1976, there were 84 prisoners at the institution, and on January 28, 1977, the jail housed 74 inmates. On July 22, 1977, the jail held 67 inmates.

Remand Prisoners

On October 5, 1976, 26 of the jail's 65 inmates were on remand either awaiting bail, the setting of a trial date, or trial.

According to a special study completed by the Ministry of all remand prisoners as of October 25, 1976, the Sudbury Jail held 40 such inmates as follows:

<u>Number of Inmates</u>	<u>Length of Remand</u>
12	less than 1 week
6	1 week
8	2 weeks
3	3 weeks
4	4 weeks
1	5 weeks
1	6 weeks
1	9 weeks
2	11 weeks
1	14 weeks
1	16 weeks



### Court Transfers

During the week of October 4-8, 1976, 51 inmates were processed and transferred from the jail to the local court.

Inmates are transferred to the court via a tunnel. The Superintendent informed us that three or four officers are used daily in the admission, transferring and receiving process, which usually occurs three to four times daily, depending on the court schedule.

### Intermittent Inmates

On October 5, 1976, 2 of the jail's 84 inmates were serving intermittent sentences. On January 28, 1977, 7 of 74 inmates were serving such sentences.

### Community Resource Centre

The Sudbury Jail is served by two Community Resource Centres. One, Lafraternite, located in Sudbury, has a capacity of 11 inmates, and is operated for the Ministry by a citizens' group.

The other, Lake Hope Park, in Blind River, can accommodate 16 inmates, and is operated for the Ministry by a private couple with a citizens' group board of directors. The Sault Ste. Marie Jail also has access to this C.R.C.

### Future Building and/or Renovation Program

The Government had approved plans for a \$15.56 million 150-bed addition to the Sudbury Jail, but in early 1977, the Ministry was reconsidering its plans for the institution. The earliest date for completion of this addition would be about 1983.

In the interim, the Ministry had no renovation plans for the Sudbury Jail.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a 150-bed addition to the existing jail and a further 200-bed addition by 2001.

Long-term inmate population figures computed by the Ministry indicated a need for 213 inmate beds by 1986 and 434 inmate beds by 2001. The current official capacity of the Sudbury Jail is 65 inmates.

Of the 36 Ministry facilities dealt with in the new accommodation plan, the Sudbury Jail additions were prioritized as 4th.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Sudbury Jail by 1986 would be 96.

The current capacity of the institution is 65 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

Currently, the Ministry is drawing plans to allow for either an addition to the existing jail or the construction of a \$16 million 200-bed detention centre. The Government's Management Board has approved proceeding to the design stage, but the exact size of the addition or new centre has not been decided. Assuming that the addition/construction plans proceed, the new inmate beds would become available in late 1982 or early 1983.

Although the Ministry has plans to build a 200-bed detention centre, our analysis of the current capacity of the jail (65), the average maximum number of inmates during the last six years (112), and the Ministry's projected inmate population in 1986 (96), leads us to believe that a 120-bed centre should be constructed.

In 1977 dollars, the cost of such a centre would be \$9.6 million. (The Ministry hopes to reduce its cost-per-inmate-bed from the current \$80,000 to \$55,000 - but if inflationary forces continue, it is unlikely that by 1982 or 1983, when the centre might be opened, the final cost would be substantially reduced.)

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

## STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent

C.O. 5 (Lieutenant)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77</u> *
Official M/C Complement	7/31 (1:4.4)	8/31 (1:3.9)
Actual M/C Complement	7/31 (1:4.4)	8/31 (1:3.9)
Official Inmate Capacity	65	65
Official C - Inmate Ratio	1:2	1:2
Actual Inmate Population	93	74
Actual C - Inmate Ratio	1:3	1:2.4

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Sudbury Jail spent \$73,556 for staff overtime, and an additional \$32,464 for casual employees. The total additional salary expenditure for the year was \$106,020, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 9.1 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 22 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 6.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees) and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased to 35.)



### Correctional Officer Turnover

As of January 27, 1977, the Sudbury Jail had 31 correctional officers on staff.

- 0 ( 0%) had less than 2 years experience.
- 5 (16%) had between 2 and 5 years experience.
- 26 (84%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Sudbury Jail lost 5% of its correctional officers through separations and in 1976 it lost 13.8% for the same reason. Based on these figures, the Sudbury Jail was suffering, in 1976, from an excessive staff turnover rate.

### SECURITY

#### 1. Escapes

There were three escapes during the three fiscal years April 1, 1973 to March 31, 1976. Two inmates were recaptured. \*

#### 2. Inmate Deaths/Damage

According to the Superintendent, there was one inmate death, by suicide, at the jail in 1974. There have been no similar incidents since that time.

Our interviews with the Superintendent and staff of the jail indicated that no contraband, such as weapons, utensils, or drugs had been seized from inmates in the year ending October 5, 1976. Complete searches of the institution and the recreation yard are made daily. The jail had had no damage to its television sets, radios or other institutional equipment during the first 10 months of 1976.

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\* The escapes were, in fact, inmates who failed to return from Temporary Absence Passes, but such incidents are classified as escapes by the Ministry, although they do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

### 3. Hostage-Taking Incidents

The Superintendent informed us that the jail has not been the scene of hostage-taking incidents.

### 4. Current Security Problems

During our visits to this institution since 1975 and conversations with the Superintendent and correctional officers, no major security problems were brought to our attention.

### SEGREGATION

The Sudbury Jail has three segregation cells, two of which were occupied on October 5, 1976. During the six month period ending October 5, 1976, 55 inmates had been placed in segregation, 12 for disciplinary purposes and 43 for protective custody purposes. The Superintendent informed us that he communicates daily with segregated inmates.

The Superintendent told our Investigator that he uses segregation for four main reasons (aside from the use made for inmates who, for personal reasons, wish to be apart from the general inmate population for a time) including:

1. For Temporary Absence Program inmates who work at night. Their use of the segregation cells allows them to sleep undisturbed during the day and does not create unnecessary disruption to other inmates' activities;
2. For inmates scheduled to be transferred to federal penitentiaries and who might be a disruptive influence on the inmate population;
3. For arrested persons who are drunk when they are admitted; and
4. For quarantined inmates or inmates who require a quiet area to recuperate after an illness.

In our Investigator's opinion, segregation was neither overused nor abused at the Sudbury Jail.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, two originated from inmates of the Sudbury Jail. Of that number, none involved medical or dental treatment, segregation use, jail meals or visiting privileges.

### INSTITUTIONAL MORALE

From November, 1975, through October, 1976, the staff at the Sudbury Jail and the investigative team from the Office of the Ombudsman assessed the staff morale as medium.

Similarly, between November, 1975, and October, 1976, both staff and inmates assessed inmate morale as medium.

### Conclusions

Factors which contributed to the medium staff morale during the period of November, 1975, through October, 1976 included:

1. Consistency of administration. The administrators were accessible to staff and were consistent in their application of institutional rules and regulations.
2. There was a relatively low staff turnover rate, especially in 1975.
3. The staff was experienced in correctional work. Twenty-six officers had more than five years experience and not one officer had less than two years experience.

Nevertheless, the staff morale was not high for the following reasons:

1. Many officers worked many hours of overtime. The long hours reduced the effectiveness of some of the officers.
2. Aside from the initial orientation training provided to new officers, the staff complained of very little on-going staff training and development.
3. Officers commented on the need for regular staff meetings.
4. The Sudbury Jail was an old, outdated and overcrowded facility.

During the period November, 1975, through October, 1976, the following factors contributed to the medium morale of the inmates.

1. The old, outdated, overcrowded facility provided poor living conditions.
2. The constant overcrowding resulted in the curtailing of the use of facilities and hampered inmate activities. The result was boredom and frustration.
3. The inability of institutional staff to devise a method of food delivery to inmates to ensure that food did not arrive cold. (In June, 1977, we were



informed that inmates were picking up their food trays themselves and taking them to their corridors. This eliminated lengthy delivery times and ensured that food was still hot.)

On the other hand, inmates expressed satisfaction in being used for general repairs, kitchen and laundry duty, indoor painting and some outside work. The policy of using inmate labour was started because of the lack of regular inmate activities. Moreover, the inmates commented that the staff of the institution were fairly consistent in their application of the jail's rules and regulations, and they were pleased with the open cell-door policy of the jail. (In June, 1977, the Ministry informed us that the open-cell policy was abandoned after a trial period.)

Our initial investigation in November, 1975 reported that the Sudbury Jail was a well-run institution with solid management and excellent support staff. Staff morale was high because administrators dealt openly and directly with both staff and inmates. There had been no staff vacancies in the two years prior to our initial visit.

After our initial visit, the Sudbury Jail was visited on four separate occasions. The impressions first formed by our investigative team remained unchanged.

However, the jail is always overcrowded. For example, on October 5, 1976, there were 84 inmates in the jail, 22 above capacity.

A handful of inmates expressed concern over the prescribing of medication by the institutional physician, but the medical staff said it had an extremely difficult time to assess whether inmates needed medication or whether it only served as a crutch to help them relax.

A concern voiced by correctional officers was the limited program of staff training and development at the jail. There were staff training programs every winter under the supervision of the Deputy Superintendent, who, in turn, relied on the expertise of the Sudbury Police for training in riot and crowd control. However, aside from courses in life skills and first aid, these programs were not felt to be sufficient by the staff to maintain peak efficiency and discipline among staff.

The major inmate problem was the lack of activity because there was insufficient recreational space. Both union representatives and staff supported the proposal that a fence be erected at the back of the institution to securely enclose the recreation area.

## RECOMMENDATIONS

### WE RECOMMEND:

1. THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO MAKE FUNDS AVAILABLE FOR THE CONSTRUCTION OF A 120-BED DETENTION CENTRE AS SOON AS POSSIBLE; AND
2. THAT, IN THE INTERIM, THE MINISTRY CONTACT THE MINISTRY OF GOVERNMENT SERVICES WITH A VIEW TO ERECTING A FENCED RECREATIONAL AREA FOR INMATES AT THE REAR OF THE INSTITUTION TO HELP ALLEVIATE INMATE BOREDOM AND PROVIDE INCREASED RECREATIONAL SPACE; AND
3. THAT THE MINISTRY CONSIDER ALTERNATIVE METHODS OF PROVIDING FOOD TO INMATES TO OVERCOME THE PROBLEMS CAUSED BY INMATES RECEIVING COLD FOOD. (As already noted, in June, 1977, we were informed that inmates were picking up their food trays themselves and taking them to their corridors. This eliminated lengthy delivery times and ensured that food was still hot.) AND
4. THAT THE MINISTRY ENSURE THAT AN ADEQUATE AND ON-GOING STAFF TRAINING AND DEVELOPMENT PROGRAM IS ESTABLISHED IN THIS FACILITY AS SOON AS POSSIBLE.

### JAILS

This section deals with those jails which were not included in our surveys of November, 1975, and October, 1976, but which were visited on a regular basis by our Investigators in the course of the investigation of inmate complaints.

The following table illustrates the number of times members of the Office of the Ombudsman visited these institutions from November, 1975 to April, 1977, and, following the table we have included capsule comments made by our Investigators on these institutions.

Our general conclusions and recommendations in Chapter IV are based not only on our observations of the institutions subject to our in-depth surveys, but also on our assessments of conditions in all other visited facilities.

Number of Regular Visits Made by Investigators to Correctional Institutions Not Included in the Surveys of November, 1975, and October, 1976. The Figures Below Include All Visits Made Between November, 1975, and April, 1977.

<u>Institution</u>	<u>Number of Visits</u>
Brantford Jail	8
Brockville Jail	1
Chatham Jail	4
Cobourg Jail	7
Fort Frances Jail	3
Haileybury Jail	2
Lindsay Jail	4
L'Orignal Jail	1
North Bay Jail	4
Orangeville Jail *	3
Owen Sound Jail	2 **
Parry Sound Jail	2

[con'd...]

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\* To close in February, 1978.

\*\* This jail was visited twice in the fall of 1977. Previously, calls were made prior to anticipated visits and, in each case, inmates had been transferred to other institutions.



[con'd]

<u>Institution</u>	<u>Number of Visits</u>
Pembroke Jail	1
Perth Jail	5
St. Thomas Jail	3
Sarnia Jail	5
Simcoe Jail *	6
Stratford Jail	6
Walkerton Jail	1
Windsor Jail	3
Woodstock Jail	4

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\* To close in February, 1978.

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#### Brantford Jail

Opened in 1852, the Brantford Jail, with an inmate capacity of 41, appears to be operating consistently at or slightly above capacity. Despite the physical limitations inherent in a facility of its type, our brief observations of this jail indicated that available space was being used effectively. As an example, recent renovations had been made to medical, clerical and administrative areas to improve these facilities.

The general state of cleanliness throughout the institution was commendable.

At the time of our visits to this facility there was little tension in evidence and staff and inmate morale appeared to be at an acceptable level. No major problems have come to our attention with respect to the Brantford Jail and it is our impression that this facility is at present an orderly, well-run institution.

#### Brockville Jail

Built in 1842, the Brockville Jail, with an inmate capacity of 25, suffers many of the same problems as other antiquated facilities of its type. However, within the physical limitations placed on the jail by its design and

location, much has been done to improve living and working conditions for inmates and staff. Extensive renovations to interior cell block areas have permitted an open cell policy in some quarters without sacrificing good security supervision. In addition, renovations to the outside exercise yard have permitted increased use.

The atmosphere at the jail appeared relaxed and no tension was evident. Rapport between staff and inmates was good and the general institutional morale appeared high.

It is interesting to note that few, if any, concerns about conditions at the Brockville Jail were sent to our office.

### Chatham Jail

The Chatham Jail, built in 1850, has an official inmate capacity of 46. During 1976, its greatest inmate population was 53, and its average daily population was 34.5 inmates. On January 27, 1977, when its inmate capacity was reduced to 44, it held 35 inmates.

The jail's administrative area is located separate from the cell area.

Our Investigator noted during his August, 1976, visit that some improvements were being made to the physical facilities of the jail and it appeared to be a smoothly functioning institution.

Most of the complaints received at our office concerned problems with obtaining transfers to correctional centres offering treatment programs. All other concerns were resolved by the jail's administrators prior to the arrival of our Investigators.

The Superintendent visits the inmate population regularly and appears to be aware of inmate problems.

The jail has a small recreation yard and we observed that there was only limited space available for recreational activities. Our observations of this jail led us to conclude that there was a low inmate tension level and that most inmates were bored because of the lack of activities available to them.

### Cobourg Jail

The Cobourg Jail, constructed in 1906, has an official inmate capacity of 34 male and 3 female offenders.

The jail appeared to enjoy more favourable physical facilities than other institutions of a similar size. Renovations to the attic and basement areas and to the adjoining Superintendent's house provided much-needed space for inmate and staff activities. Almost all the recent renovations were completed with the use of inmate labour, and inmates selected to complete such work volunteered to participate in exchange for the privilege of remaining at the jail rather than being transferred to a correctional centre.

Given the fact that the jail is seldom overcrowded, this arrangement appears to have produced positive benefits for both inmates and Ministry staff.

From a review of complaints received and discussions with the Superintendent, the Cobourg Jail did not appear to be suffering from any major difficulties. Institutional morale was judged to be high and regular communication among staff and effective delegation by the Superintendent seemed to have a positive effect, particularly on the jail's middle-management staff.

#### Fort Frances Jail

This jail, constructed in 1907, has an official inmate capacity of 10 male and 2 female offenders.

Our visits to this jail have left us with a positive impression. Staff and inmate morale is good as evidenced by the fact that staff and inmates are on a first-name basis and the staff appear to be genuinely concerned with the welfare of the inmates.

As an example, some staff members indicated to our Investigator that they felt their coffee room should be converted into an inmate craft room.

A great deal of renovation work has been completed at the jail using inmate labour.

The inmates are allowed regular daily exercise, are able to send and receive an unlimited number of letters, take correspondence courses, and, with the Superintendent's approval, have up to two visits per week.

When one of our Investigators visited the institution, all staff and inmates were advised that they could speak to her should they have any concerns, but no complainants came forward.

It appears that the staff morale is excellent and that the new Superintendent, appointed December 1, 1976, is very involved with community work, and meeting the inmates' needs. In general, the staff appear to be pleased with the Superintendent's administration of the jail.

#### Haileybury Jail

Built in 1923, the Haileybury Jail, with an inmate capacity of 32, was observed to be suffering from an acute lack of physical facilities. While corridor areas were adequate to house the inmate population at most times, administrative, medical and inmate activity space was quite inadequate.

Although the jail did not appear to be critically overcrowded, it was regularly at or over capacity. Part of the population problem was created by the fact that Haileybury held high-security risk remand inmates who could not be accommodated at the Monteith Jail.



From a review of complaints received from inmates at the jail, and discussions with the Superintendent, there appeared to be no other serious difficulties and institutional morale appeared to be at an acceptable level.

#### Lindsay Jail

Built in 1863, the Lindsay Jail, with an official inmate capacity of 30, appears to be one of the least-crowded of the Province's jails.

Although the facility is antiquated, it appears to have more available space than many other jails of its age and capacity. This, coupled with a relatively low population at most times, has produced an institutional environment in which little tension is evident.

While our contacts with this institution have been limited, it is our impression that staff and inmate morale is at a satisfactory level. Relatively few concerns have reached our office from the Lindsay Jail and all of those received have been of a minor nature.

In summary, the Lindsay Jail has presented no major problems to our office and in the course of our observations, our impression is that it is an orderly and well-managed facility.

#### L'Orignal Jail

The L'Orignal Jail, in continuous use since 1828, is the oldest facility of its type in the Province. Despite the antiquated facilities, which house an inmate capacity of 27, the jail appeared to be maximizing the use of available space.

Institutional morale was assessed as high. At the time of our visit there was little tension in evidence and staff-inmate relations appeared amicable. Most of the inmates were French-speaking and the fact that the majority of staff were bilingual appeared to enhance communications. To date, few, if any, complaints have been received from inmates concerning conditions at the L'Orignal Jail. The fact that the jail rarely reaches capacity appears to be a significant factor which contributes to a generally positive institutional environment.

#### North Bay Jail

Constructed in 1928, the North Bay Jail, with an inmate capacity of 63, is blessed with an excellent physical layout for a facility of its type and age. The design of the jail substantially contributes to the high degree of security and cleanliness we observed. The internal structure and organization of corridors enables good security supervision and allows for flexibility in cell allocation. In addition,

renovations to the jail's visiting area within the past two years have substantially improved security. In general, the North Bay Jail appeared to be a tightly-run security setting that was not suffering unduly from overcrowding or lack of physical facilities.

#### Orangeville Jail

The Orangeville Jail is a small outdated institution built in 1881. Its official capacity is 16 male inmates.

There is a relatively high staff and inmate morale displayed in this rather relaxed setting. It appears to be a well-managed institution with an internal staff training program.

There is a need for a new facility to replace the present structure, especially since the Superintendent's office has been moved from the building proper into an adjoining structure.

There have been very few complaints to the Office of the Ombudsman about the jail itself. Hence, it would appear to be a smooth-running institution.

On December 2, 1977, the Minister of Correctional Services announced in the Legislature that this jail will close on February 10, 1978.

#### Parry Sound Jail

The Parry Sound Jail, built in 1878, has an official inmate capacity of 31 male and 4 female offenders.

Inmate complaints from this jail have been few, and most concerned matters apart from the conditions at or the functioning of the jail itself.

During our July, 1976 visit, inmate morale was at an acceptable level and there was no apparent institutional tension. However, inmates appeared bored because of the lack of activities.

Although there were few problems evident at this institution, staff morale was difficult to gauge during our July, 1976, visit because of a recent inmate escape. (The inmate was recaptured within an hour of his escape.)

#### Pembroke Jail

The Pembroke Jail was built in 1866 and has a capacity of 28 male and 4 female inmates.

During one of our Investigator's visits to the jail - June, 1976 - we were told that the capacity of the jail would be reduced to 24 after all renovations were completed. The renovations contemplated making one cell out of each existing two cells. As of June, 1976, the existing cells were very small, containing a bed and having only two feet of space between the bed and the cell wall. The cells had no toilet facilities and inmates were forced to use chamber pots when locked in their cells.

The jail has a low staff turnover rate and there appears to be a high degree of respect for the Superintendent's administration on the part of both staff and inmates.

There is more than the usual amount of time allowed for inmate exercise, the jail has excellent medical coverage, there are virtually no restrictions on the number of letters an inmate can send, the local A.A. group holds monthly meetings at the jail and the indoor and outdoor recreation and community-oriented activities appeared to keep the inmates occupied.

According to institutional authorities, there was initially no use made of segregation and no concerns respecting security matters were brought to our attention.

Although there were some physical problems with regard to the entrance of the jail and the visiting area, these were not severe, and the entire institution was observed to be clean and well-kept.

Both staff and inmate morale was high and there was no tension in the jail.

Our Investigator concluded that the Pembroke Jail is a well-run institution and that the Superintendent and his staff should be commended for the efforts they have made and the results they have achieved.

#### Perth Jail

The Perth Jail, built in 1864, has a capacity of 24 male and 2 female inmates.

It is an antiquated facility, with an inadequate interview area and few recreational programs for inmates. There is a well-equipped staff room in the basement of the institution.

Despite its age, the jail is well-kept and the Office of the Ombudsman has received few complaints about the day-to-day living conditions at the jail.

#### St. Thomas Jail

The St. Thomas Jail, built in 1853, has an official capacity of 17 inmates, but it is often overcrowded. During the fiscal year 1975-76, its average daily inmate population was 22.5.

A small, antiquated facility, there was a noticeable lack of adequate amenities such as showers and recreation programs, but most inmates appeared to be making the best of a bad situation while waiting for the jail to be closed upon the opening of the Elgin-Middlesex Detention Centre in 1977.

Our Investigators felt that the jail's administrators were aware of day-to-day inmate concerns and acted promptly and properly in attending to them.



### Sarnia Jail

The Sarnia Jail was built in 1961, has an official capacity of 59 inmates, and does not suffer from a constant overcrowding problem, although, at times, it holds more inmates than it was designed to hold.

There is a good library and a good kitchen in the jail, but a common inmate complaint concerned the lack of recreational or other activities which contributed to inmate boredom and frustration.

During our visit in March, 1976, there was an increase in inmate tension because of delays in transfers to overcrowded correctional centres, but subsequent visits indicated a decline in inmate tension.

The Office of the Ombudsman has received few complaints about this jail, and staff morale has remained at a favourable level.

### Simcoe Jail

Built in 1851, the Simcoe Jail, with an inmate capacity of 38, suffers many of the same limitations as other antiquated facilities of its age and construction. While the jail appears seldom overcrowded for extended periods of time, its location, adjacent to the old county court house (recently refurbished for use as Municipal Offices), precludes any possibility of expansion of facilities in the future, should the need arise. The jail is leased by the Ministry from the local Regional Municipality.

Apart from limitations of space, this jail was observed to have few serious problems. Of inmate complaints received, the most common related to lengthy delays that some sentenced prisoners had experienced in receiving transfers to correctional centres. It should be pointed out that this concern is not peculiar to the Simcoe Jail but is a common concern of inmates in most jails and detention centres.

In summary, little tension was in evidence at this jail and the institutional morale appeared to be at an acceptable level.

On December 2, 1977, the Minister of Correctional Services announced in the Legislature that the jail would close on February 10, 1978.

### Stratford Jail

The Stratford Jail, built in 1887, is situated approximately 80 miles from Toronto and has an official inmate capacity of 31 male inmates.

Notwithstanding the tragic fire in December, 1976, the Stratford Jail did not represent a problem jail to our office. The complaints received by our office from inmates of this jail were of minor nature, and suggestions made for the rectification of inmate complaints were objectively received by the staff and appropriate action was taken when necessary.

It would appear that the correctional staff and administrators attempted to renovate this old facility to offer the most suitable inmate accommodation possible given the physical restrictions they are faced with.

#### Walkerton Jail

The Walkerton Jail, built in 1866, has an official capacity of 21 male and 4 female inmates.

During the fiscal year 1975-76, it held as many as 41 inmates and its average daily inmate population was 26.4. Clearly, this jail is often faced with a serious overcrowding problem.

Despite this factor, our office has received few complaints from inmates at this jail and those received were of a minor nature and were resolved with the assistance of the Superintendent.

Staff morale appeared to be high, although there were concerns expressed about the amount of overtime required to be worked.

The only persistent inmate complaint related to the lack of activities to relieve day-to-day boredom but, on the whole, our Investigator assessed this jail as a smoothly-functioning institution with no apparent tension.

#### Windsor Jail

The Windsor Jail, built in 1925, has an official capacity of 92 male and 10 female inmates, and overcrowding, although it occurred occasionally, was not a serious problem.

An analysis of the few inmate complaints sent to our office indicates that most were of a minor nature and it is our view that the jail's administrators take prompt action to rectify problems when they are brought to their attention.

Both staff and inmate morale was good and there was no apparent tension in this smoothly-operated institution.

C H A P T E R    I I I

CORRECTIONAL CENTRES, ADULT TRAINING CENTRES  
AND CLINICS





## GUELPH CORRECTIONAL CENTRE

### GENERAL

The Guelph Correctional Centre, opened in 1911, is the largest correctional centre in Ontario and is located about 60 miles west of Toronto. It has a capacity (excluding G.A.T.U.) of 497 medium-security male offenders, many of whom are recidivists serving lengthy provincial sentences. The Centre also operates two camps, Camp Dufferin and Camp Oliver, each with a capacity of 40 inmates.

On January 11, 1977, the Ministry announced that Camp Oliver will be closed because it has been operating at about half capacity in recent years. Camp Dufferin will continue to operate and will absorb inmates from the closed facility.

The centre's official staff complement included 22 management and 127 correctional personnel.

Our observations of this centre began in November, 1975, and have continued to date.

### INMATE POPULATION

October 31, 1974-----	383	
October 31, 1975-----	459	(Capacity of 458)
November 14, 1975-----	473	(Capacity of 458)
January 27, 1976-----	488	
October 5, 1976-----	480	(Capacity of 491)
January 27, 1977-----	499	(Capacity of 497)
July 22, 1977-----	489	(Capacity of 497)

It is apparent from these figures that the Guelph Correctional Centre has been operating near, at, or over capacity for some time and that overcrowding often occurs.

### Community Resource Centre

The Guelph Correctional Centre is not served by a Community Resource Centre and the Ministry has no plans to establish one in the near future.

### Future Building and/or Renovation Program

The Ministry has no building or renovation plans for the Guelph Correctional Centre.

Although the Ministry's Capital program shows no plans for future expenditure of funds on this centre, the Superintendent informed our Investigators that in addition to renovations already completed to the auditorium (converting it into a dormitory setting for Temporary Absence Pass inmates), the setting aside of three rooms in the basement of the auditorium as general activity rooms for inmates, and the construction of an additional room at the end of the auditorium which serves as an occupational therapy area, other changes are also planned.

Included are six additional interview rooms, revamping the back-end washroom and moving the control centre from its present location in the Tower to this area, two new inmate areas on the "B" side of the facility to house approximately 25 inmates, the installation of an electric grille in the area adjacent to the control area, improvements to the inmate dining area, and renovations to the industrial areas, sanitary facilities and the outside of the building.

Most of the renovations are to be completed with the use of inmate labour.

(In June, 1977, the Superintendent informed us that some renovation projects would have to be curtailed because of budget reductions.)

### STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent

Senior Assistant Superintendent

C.O. 5 (Lieutenant)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	35/190 (1:5.4)	35/240 (1:6.8)
Actual M/C Complement	35/189 (1:5.4)	35/240 (1:6.8)
Official Inmate Capacity	549	599
Official C - Inmate Ratio	1:2.9	1:2.5
Actual Inmate Population	493	571
Actual C - Inmate Ratio	1:2.6	1:2.4

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Guelph Correctional Centre (including Guelph Assessment and Treatment Unit) spent \$506,848 for staff overtime, and an additional \$361,795 for casual employees. The total additional salary expenditure for the year was \$868,643, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 75.2 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 107 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays,



regular days off and sick leave, the correctional staff complement should be increased by 42.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement -- including Guelph Correctional Centre and the Guelph Assessment and Treatment Unit -- would be increased by 42.)

#### Correctional Officer Turnover

As of January 27, 1977, the Guelph Correctional Centre (including Guelph Assessment and Treatment Unit) had 240 correctional officers on staff.

25 (13%) had less than 2 years experience.

93 (37%) had between 2 and 5 years experience.

122 (50%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Centre lost 8.6% of its correctional officers through separations and in 1976 it lost 13.6% for the same reason. On the basis of these figures, the Centre suffered an excessive staff turnover rate in 1976.

#### SECURITY

##### 1. Escapes

There were 181 escapes during the five fiscal years April 1, 1971 to March 31, 1976. One hundred and sixty-three (163) inmates were recaptured. \*

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

The centre is located on approximately 1,300 acres of land. The buildings themselves are secure in that the windows have bars and there are security grilles throughout, but there is no perimeter fence surrounding the entire complex. Many inmates are deployed outside the buildings daily while taking part in work crews or travelling to other assignments, making potential escapes relatively easy.

## 2. Deaths

There were no deaths during the four fiscal years April 1, 1972 to March 31, 1976.

## 3. Inmate Damage

There is little incidence of inmate damage to this centre's facilities.

## 4. Hostage-Taking Incidents

There have been no hostage-taking incidents at the Guelph Correctional Centre.

## 5. Current Security Problems

During our visits to this centre since 1975, and our conversations with the Superintendent and correctional officers, there was concern expressed about contraband entering the institution as well as concern about the number and variety of weapons seized from inmates during 1975. The Superintendent informed our Investigators that security searches were being increased in an effort to halt the flow of such material.

According to an inspection report completed by an Inspector from the Inspections and Standards Branch, concerning an inspection carried out from May 24 to June 15, 1973, the centre suffered from a number of internal and external security weaknesses.

A follow-up inspection was completed between January 7-11, 1974. According to the Inspector's report, implementation of several recommendations regarding security was underway or would shortly be underway, and the Inspector commented that, "A much improved control of inmates was observed."

From March 22-31, 1976, another inspection was carried out, and the Inspector commented on the problems involved with cell searches, and the fact that some cells were insecure.

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[Footnote, continued from previous page]

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

In the interests of the safety both of institutional staff and inmates, and the public, we have commented more fully on current security problems in an appendix to this report to the Ministry.

#### SEGREGATION

According to the Superintendent, the Guelph Correctional Centre had 37 segregation cells and 12 detention cells on October 5, 1976, and 28 segregation and four detention cells were in use that day. During the six month period from April to September, 1976, 244 inmates were placed in the detention cells, and 21 inmates were held in segregation cells voluntarily for their own protection. (The purposes for which different types of cells were used is described under the heading "Institutional Morale" which follows.)

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 39 originated from inmates at the Guelph Correctional Centre. Of that number, eight concerned medical treatment, six concerned the use of segregation, and one each concerned dental treatment, visiting privileges and the centre's meals.

#### INSTITUTIONAL MORALE

In November, 1975 and October, 1976, the staff morale at the Guelph Correctional Centre was assessed as medium by staff and Investigators from the Office of the Ombudsman.

In November, 1975, inmate morale fluctuated between low and medium. By October, 1976, inmate morale had improved.

#### Conclusions

Some of the factors which contributed to the medium staff morale between November, 1975 and October, 1976 included:

1. The administration's feeling that the institution was grossly understaffed. During 1976, several officers worked a great many overtime hours because of the staff shortages and their effectiveness was impaired. The administrators felt that the Ministry's official staff complement for the institution did not allow for sick days, annual leave, statutory holidays or staff training.
2. The administration was being forced to employ a high number of untrained casual employees to compensate for staff vacancies, and some correctional officers



were concerned about this reliance on casuals.

3. The almost constant overcrowding which made the institution difficult to manage. To accommodate the overflow, the auditorium was renovated.
4. The classification of Guelph as a medium security institution meant that it usually received a high number of recidivist inmates serving lengthy provincial sentences.
5. Some officers expressed concern about the institution's inmate committee. They felt that this committee had become too powerful and was not concerned with the interests of the whole inmate population.  
Many correctional officers felt that the inmate committee's relationship with the centre's administrators was too strong and that the correctional staff had been given little or no opportunity to interact with the two groups. The Union representatives said they had no relationship with the inmate committee, and that although they would be permitted to attend management/committee meetings, they were not invited to do so. Many correctional officers appeared to be resentful of the committee's seeming influence, and felt the committee should be abolished. They felt their own authority had been downgraded by the apparently good relationship in existence between the centre's administrators and the committee.
6. The correctional officers felt there was a need for an on-going staff training and development program. However, because of staff shortages, they said, this had not been possible.
7. Some correctional officers felt that there had been a definite downgrading of staff and inmate discipline. They suggested that inmates were fairly immune from disciplinary action, as any use of force to control inmates was likely to bring censure from the centre's administrators, and any charges brought internally against an inmate were likely to be dismissed unless an officer could

gather corroborating evidence of the inmate's alleged offence.

Factors which contributed to the medium inmate morale included:

1. The constant overcrowding which resulted in restrictions on programs and which made it difficult to keep the inmates occupied a great deal of the time. Some of the most appalling congestion was on the "C" side of the centre. The six dormitories located there each have a normal capacity of 30 beds, but during our initial visit, the number of beds ranged from 32 to 35 in each dormitory. As of October, 1976, the dormitories were at full capacity, inmate belongings were located on and under the beds, and the overall effect was one of congestion. Our initial team of Investigators felt that only 20 inmates beds in each dormitory would be a more manageable inmate population.
2. The lack of adequate hygienic facilities for those inmates who were housed in the auditorium.
3. The length of time, especially in 1975, that inmates had to wait in other institutions until vacancies occurred at the Guelph Correctional Centre.
4. The inmates' expressed desire for more meaningful work programs and recreational activities to alleviate the boredom and the frustration which accompanies lengthy incarceration.
5. The inmates' feeling that the food served at the centre was poorly prepared.
6. The inmates' perception that the physical training instructors had not devised a good program, considering the number of physical training instruction staff and the type of recreational facilities in existence.  
(As of May, 1977, there were six physical training staff at the Centre - a Director, an Assistant Director and four physical training officers. According to the Superintendent, the inmate liaison committee had brought to his attention their concerns about the inmate recreation program and the physical training

staff had also discussed their dissatisfaction with the shift schedules. Since these concerns were raised, the Superintendent said, both inmate and staff problems have been looked into and resolved and, as of May, 1977, the problems brought to our attention between November, 1975, and October, 1976, appear to have been settled.)

7. The inmates' feeling that they were not receiving sufficient clothing changes, especially for those who worked in the bush gang. Some inmates said they had to wear their dirty clothing after showering and that they received only one change of clothing per week. The inmates we spoke with felt that inmates should receive enough clothing for at least four or five changes per week.

Recently the administration undertook a number of construction projects to improve the existing structure and to provide better accommodation.

For example, in the basement below the auditorium, three rooms were set up as general inmate activity rooms and an additional room was constructed at the end of the former auditorium to serve as an occupational therapy area (hobby-craft).

To improve security, plans had been completed to place monitoring cameras in the auditorium to observe inmates who are connected with the T.A.P. program, but according to information we received in April, 1977, this plan had been abandoned. Furthermore, metal detectors were to be installed in the control area to search inmates as they returned to the institution from work parties. In addition, the tower area was to be renovated in order to eliminate one post and six new interview offices were to be constructed in the basement for professional staff.

Since November, 1975, the Guelph Correctional Centre has been monitored on a bi-weekly basis. Our Investigators initially described this institution as one in which the correctional system was unquestionably strained because of a combination of overcrowding, understaffing and a lack of facilities. Although inmate capacity and population figures give the impression that the institution was not seriously overcrowded, it must be remembered that renovations were made to the auditorium so that inmates could be accommodated in that area.

At the time of our initial visit in 1975, the auditorium housed 37 inmates. There were no showers, very inadequate washing facilities, and there was little movement



for the inmates which added to the overall congestion of the institution.

There was also a period in 1975 when inmates had to wait a period of 6 - 8 months in jails and other institutions after they were classified for Guelph because of the long waiting list. Overcrowding is one of the centre's most serious problems. Alternatives should be considered to channel inmates out of this institution to lessen the strain on the line staff who must work there and the inmates who must live there. Camp Dufferin, which has an official capacity of 40 inmates, is a satellite of the Guelph Correctional Centre, but even with its assistance, the centre has been constantly overcrowded.

Guelph is classified as a medium-security institution and generally receives a high percentage of recidivists doing lengthy provincial sentences. It is the only institution in Ontario which accommodates such a high percentage of this type of inmate, and, in our view, it may become necessary in the future for the Ministry of Correctional Services to construct another medium-security institution similar in function to Guelph, but hopefully, in another part of the Province.

Several of the correctional officers with whom our Investigators spoke expressed some resentment towards the centre's inmate committee. These officers felt that the committee had become too powerful and should be watched closely. However, without discounting their concerns, institutions such as the Guelph Correctional Centre, the Millbrook Correctional Centre, the Monteith Correctional Centre, and the Rideau Correctional Centre are institutions with relatively large and stable inmate populations. In this type of setting, we feel that an inmate committee can prove to be extremely useful to the successful functioning of an institution. We feel that the function of such committees should be to serve as a link between the staff and the inmate population at large, to serve as a voice representing general inmate feelings which can make suggestions on changes which might affect them, and to serve as a source of information to institutional administrators about inmate concerns.

It was not our view that the inmate committee at the Guelph Correctional Centre should be disbanded. However, if several of the staff feel that the inmate committee is wielding too much power, we suggest that the institution's administrators re-examine the committee's role and function.

During our visits to the Centre, we were impressed by the industrial, educational and recreational facilities available to inmates. The trades program, for example, included courses in plumbing, metalwork, wrought iron, weaving, mattress-making, sign-painting and motor mechanics. Professional instruction was provided for all inmates taking

part in the courses, and, if the inmate so desired, he could receive a certificate indicating his proficiency upon completing the program.

Recreational facilities included a baseball diamond, a hockey rink, a miniature golf course, and a large, well-equipped gymnasium.

The industrial programs included food services, construction, maintenance, and the Guelph Beef Centre (abattoir and cannery).

Before our October, 1976, survey, the administrators of the institution had undertaken a number of planned construction projects to improve the existing structure and to provide better inmate accommodation.

Basically, the institution was a well-managed one, displaying fairly high levels of morale, however, not only was the institution usually overcrowded, but according to the centre's personnel, it also was grossly understaffed. There had not been a great deal of staff turnover during 1976, but because of budgetary restrictions in the Ministry, staff resignations had left vacancies.

There were four areas used by the Guelph Correctional Centre for purposes of detention, segregation or protective custody.

The first area, the "D detention cells" are located in the depths of the institution. These cells are reserved for the most recalcitrant and disobedient inmates, those who do not get along with their fellow inmates, and who refuse to follow any of the rules and regulations of the institution. Inmates housed here are stripped, given an asbestos smock with no sleeves, and exist in a cubicle that has no furniture and virtually no light.

There is an interior door inside the cell door and this effectively shuts out all sound, thus creating a condition of almost total sensory deprivation. There is a hole in the cell floor which serves as a toilet. The stench is nauseating when the cell doors are open and this area was described by our November, 1975, Investigators, as an "insult to human dignity and an abomination."

There are ten such cells and the average period of time an inmate remains in this area is approximately six days. This area is mainly utilized for indefinite closed confinement. It can be voluntary on the inmate's part but authorities are not allowed to keep an individual in this area beyond 14 days.

In addition to the "D detention cells," there are three cells labelled "K detention" which are used in a similar fashion. It was the opinion of the Superintendent that it is more "civilized" in this area. These cells usually hold inmates pending internal discipline charges, or inmates from G.A.T.U.

A third area was the segregation cell area (C-1) reserved for those inmates awaiting hearings or serving punishment for an institutional infraction. There are 12 such

cells and on October 5, 1976, seven of the cells were occupied. The Superintendent said that the maximum waiting time pending a hearing in these cells is 24 hours, unless the hearing is remanded in order to provide time to collect evidence or interview witnesses. Inmates in this area are permitted to wear their regular clothing but have no privileges. The only factor reducing tension for these inmates was the knowledge that they would only be there for a short period of time.

The protective custody cells (C-2 and C-3) accommodate 24 inmates, who, for various reasons, are considered "undesirables" by their fellow inmates and would thus, no doubt, suffer bodily harm if they were housed with the general inmate population. Although inmates in this area had virtually no activities available for them and appeared to be merely warehoused until their release date, the situation could be described as a necessary evil. The Superintendent has been attempting to negotiate with the inmate committee in order to reintegrate these inmates into the general population, but unfortunately, this effort has been unsuccessful to date (October, 1976) and 22 inmates were incarcerated in this section at that time.

It should be noted that when the "B" side of the institution is completed, the "D detention cells" will no longer be utilized, and our office supports the plan to eliminate the use of these cells.

The Guelph Correctional Centre is one of the largest Provincial institutions in Ontario, consisting of a huge land area, approximately 500 inmates and a large staff. Nevertheless, the management was able to provide excellent leadership and maintain a medium level of morale among both staff and inmates despite the difficulties they faced.

## CONCLUSIONS AND RECOMMENDATIONS

### WE RECOMMEND:

1. THAT THE CENTRE'S ADMINISTRATORS CONTINUE THEIR ONGOING RENOVATION EFFORTS TO IMPROVE INMATE LIVING QUARTERS AND TO IMPROVE SECURITY AT THE CENTRE; AND
2. THAT THE CENTRE'S EFFORTS TO REPLACE THE DUNGEON-LIKE "D" DETENTION CELLS BE ACCELERATED, AND THEIR USE - AS ANY KIND OF CELL - BE ABOLISHED; AND
3. THAT THE ADMINISTRATION REVIEW THE OPERATIONS OF THE INMATE COMMITTEE WITH A VIEW TO ENCOURAGING CORRECTIONAL OFFICERS TO BECOME PART OF MANAGEMENT-COMMITTEE



MEETINGS AND THEREBY BECOME BETTER AWARE OF THE COMMITTEE'S ROLE AND FUNCTION IN THE INSTITUTION. (In June, 1977, the Superintendent informed us that he asked Correctional Officers to attend inmate Liaison Committee Meetings and he also asked a representative of the O.P.S.E.U. to attend. At the following Liaison Committee Meeting, one Correctional Officer, representing O.P.S.E.U. attended.) AND

4. THAT THE MINISTRY ENSURE THAT AN ADEQUATE AND ON-GOING STAFF TRAINING AND DEVELOPMENT PROGRAM IS ESTABLISHED AT THIS INSTITUTION AS SOON AS POSSIBLE.

GUELPH ASSESSMENT AND TREATMENT UNIT

(G.A.T.U.)

GENERAL

The Guelph Assessment and Treatment Unit, located in Guelph, is physically part of the Guelph Correctional Centre. The entire complex, originally known as the Ontario Reformatory, was opened in 1911.

Prior to the official opening of G.A.T.U. in October, 1975, the Guelph Correctional Centre contained an Assessment Unit known as the Guelph Neuro-Psychiatric Clinic, but because of increased demands made on that facility, the Ministry decided to expand the clinic into a much larger assessment and treatment institution.

As of October, 1976, it had an official capacity of 130 sentenced male inmates with serious problems and/or disorders who could be better assessed or treated in G.A.T.U. than in other Provincial correctional institutions; the exception being the Ontario Correctional Institute, which is discussed later in the report.

In the 26-bed assessment unit the staff assess inmates with special problems of a physical nature; those who appear to be mentally disturbed; those who appear to have sexual problems; inmates requiring psychiatric assessments for purposes of court appearance; inmates returning from mental health centres such as Penetanguishene before being reclassified to other correctional centres; inmates referred to the Unit by parole authorities; inmates who are mentally retarded; and inmates who have been referred to the unit from Millbrook Correctional Centre -- the Province's maximum-security correctional centre.

The G.A.T.U. official staff complement as of October 5, 1976 included:

- (a) 1 Psychiatrist (Director)
- (b) 1 Full-time Psychiatric Consultant  
(now on staff)
- (c) 1 Chief Psychologist
- (d) 1 Psychologist
- (e) 1 Pharmacist
- (f) 1 Psychometrist
- (g) 1 Chief Social Worker
- (h) 1 Supervising Social Worker
- (i) 2 Social Workers
- (j) 17 Nurses
- (k) 2 Recreation Officers
- (l) 2 Occupational Therapists
- (m) 1 Teacher
- (n) 3 Medical Officers
- (o) 1 Dentist
- (p) 1 Dental Hygienist
- (q) 1 Dental Technician

- (r) 1 Senior Assistant Superintendent  
(Deputy Director)
- (s) 1 Correctional Officer, Level 5
- (t) 7 Correctional Officers, Level 4
- (u) 63 Correctional Officers

In addition 3 social workers and 2 psychologists, who work with inmates at the Guelph Correctional Centre, were under the direction of the Director of G.A.T.U.

At the time of our original October, 1975, visit, the area which was designated as G.A.T.U. was not fully operational as a treatment facility, and several inmates were involved in renovations to former Guelph Correctional Centre space to convert it for assessment and treatment use by G.A.T.U. staff.

Our Investigators spoke to several staff and inmates, however, and came to the conclusion that there were already a number of problems in evidence.

The Unit's Director, for example, commented that many inmates would probably not respond to treatment unless they were properly motivated. He also said that staff morale was low because, at that time, there were little more than custodial functions for them to perform. Some correctional officers, he said, seemed proud of their higher job purpose by being associated with G.A.T.U., but others failed to understand why changes in their attitudes would be required in an assessment/treatment-oriented setting.

The inmates we interviewed at the time expressed some fear and misunderstanding about their future at G.A.T.U. and seemed confused about the treatment programs in which they were going to be involved.

Some professional staff members commented that correctional staff morale was low because they believed that they had lost security control of inmates without having been given instructions or training in their new roles in the unit.

Although our Investigators felt there was no immediate danger of inmate violence, they concluded that once the Unit became fully operational, steps would have to be taken to ensure that correctional officers and professional staff members were trained to work together in the best interests of the inmates they were assessing and treating.

#### INMATE POPULATION

During our visit in October, 1976, the Unit was still undergoing some renovations, and although the official capacity was listed at 130 inmates, there were only 64 inmates being housed in the area.

Besides the Unit's renovations, conversion of the auditorium at the main Guelph Correctional Centre necessitated the use of some of G.A.T.U.'s space for Guelph Correctional



Centre inmates who were on the Temporary Absence Program for a short time.

In addition, the Director of G.A.T.U. told our Investigator at that time that it was unlikely that the Unit would ever reach full capacity as such a situation would hamper the Unit's ability to transfer inmates to and from the different areas in the Unit. (On July 22, 1977, the Unit housed 84 inmates.)

During March, 1976, G.A.T.U. accepted 14 recommended inmates from the Millbrook Correctional Centre, which helped to alleviate some problems experienced by Millbrook with inmates requiring psychiatric attention.

Included in the 130-bed total are 22 hospital beds, 26 assessment beds, 60 dormitory and single room beds, 15 living cells and 7 segregation cells. G.A.T.U. consists of three separate areas: an assessment unit, a treatment unit, and an infirmary.

#### Community Resource Centre

The Guelph Assessment and Treatment Unit is not served by a Community Resource Centre, and the Ministry has no plans to establish one in the near future.

#### Future Building and/or Renovation Plans

The Ministry has no construction or renovation plans for the Guelph Assessment and Treatment Unit.

#### SECURITY

The Guelph Assessment and Treatment Unit is classified as a maximum-security setting. (The hospital area is classified as medium-security within a maximum-security area.)

Although none of the other G.A.T.U. staff members mentioned problems regarding security, a nurse commented that the existing bell signal system designates "clinic" and rings through to the Guelph Correctional Centre, not to the G.A.T.U. She felt that an alarm system specifically oriented toward possible inmate problems in the Unit should be installed to enhance safety and improve security.

#### SEGREGATION

The Guelph Assessment and Treatment Unit had seven segregation cells as of October 5, 1976, and one was in use on that date. During the six month period ending October 5, 1976, 55 inmates had been placed in segregation, 45 involuntarily for disciplinary reasons and/or for their own protection and 10 voluntarily for their own protection.

The Director of the Unit told our Investigator that inmates placed in segregation are checked several times a day by G.A.T.U. staff and at least once a week by the Director.

The Director said his philosophy in using segregation or detention was for the protection of inmates, for the protection of others, and for those who voluntarily request segregation from the general population. The Director stated that, in his opinion, these cells were not used for punishment purposes. He maintained that those charged with a misconduct and awaiting a hearing were placed in detention for a short period of time until the Deputy Director could hear the case. In addition, he indicated that G.A.T.U. inmates remain in detention at the most, a few days, compared with inmates of the Guelph Correctional Centre, and that at G.A.T.U. there is no indefinite close confinement. He also felt that segregation should not be used for suicidal inmates.

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, two originated from inmates at the Guelph Assessment and Treatment Unit. Neither dealt with medical or dental treatment, visiting privileges, the unit's meals or the use of segregation.

#### INSTITUTIONAL MORALE

The Director of the institution told our Investigator in November, 1976, that the correctional officers at G.A.T.U. had not received adequate training before being assigned to the Unit and that it was difficult to train them while they were also manning their security posts and supervising the movement of inmates.

With reference to the professional staff, the Director felt they were adequately trained, but commented that few had had psychiatric training in a hospital at post-graduate level.

In his view, the morale of both segments of the staff was high and he assessed inmate morale as good, although it tended to fluctuate.

According to some senior correctional officers, staff morale in November, 1976, was improved over its previous state because of a policy which allowed correctional officers to remain in certain units for certain periods of time instead of being constantly rotated from area to area. They also commented that, in their view, communications between correctional officers and professional staff members were improving.

Inmate morale, they said, tended to fluctuate.

Among the concerns voiced by these officers were:

1. That all staff members should regularly be made aware of the fact that any inmate outburst could result in injury to staff members, particularly since many of the staff were females;

2. That the Unit's administrators might change the assigning of correctional officers to particular areas in favour of a constantly-rotating system, as was previously in effect;
3. That correctional officers should receive more guidance from professional staff members to better enable them to deal with the types of inmates being incarcerated at G.A.T.U. and that regular staff meetings should take place;
4. That some of the professional staff should remain at G.A.T.U. until inmates retire at night, instead of leaving by 4:30 p.m.;
5. That inmates should be provided with more work in the institution that would be of value to them upon their release and that more use should be made of half-way houses for released inmates; and
6. That more correctional officers should be hired.

In conversations with front-line correctional officers, our Investigator found similar concerns being expressed.

The Unit's Union Representative commented that he felt strongly that correctional officers should be better trained to enable them to work more effectively in the treatment setting at G.A.T.U., and he recommended that a better initial and in-service on-going training program be established.

He also pointed to what was, in his view, a lack of communication between senior correctional personnel and front-line correctional officers, and said there was a great deal of friction between male and female correctional officers at the Unit. He commented that the high number of female staff members contributed to "more work for the male correctional officer(s)."

The Union Representative also said the Unit was understaffed and that an additional three or four correctional officers should be hired to help cut the unit's overtime expenditures.

(In December, 1977, the Ministry informed us that an additional 42 correctional officers would be hired and placed in the Guelph Correctional Centre and the Guelph Assessment and Treatment Unit.)

He added that inmate discipline was not tight enough, that both staff and inmates had too much time on their hands, and that there were insufficient washroom facilities for correctional officers on the treatment units.



According to the professional staff interviewed, there appeared to be low morale for the following reasons:

1. There was a need for increased communication between correctional officers, administrators and the professional staff. They felt that the administration of the Unit was not taking advantage of the correctional officers' possible use in conjunction with the professional staff in the treatment of inmates;
2. There was a conflict among the professionals about the expectations set for them by the Unit's administrators. They felt there was a strong need for a clarification of the role professionals were expected to play in the Unit's operations;
3. There was a perception among the professional staff members that they did not have sufficient input into the Unit's treatment programs;
4. They felt that the Unit's administrators had not established an adequate initial and on-going in-service staff training program.

According to information obtained during interviews, it appeared that inmate morale at G.A.T.U. changed constantly depending on the type of inmate incarcerated in the Unit, but during the October, 1976, visit in connection with this report, inmate morale was assessed as medium. Among the factors contributing to this level of inmate morale were:

1. Inmates could attend group therapy sessions on a voluntary basis instead of a compulsory basis;
2. There was not enough activity to keep inmates busy. They expressed a desire to have some kind of industrial program or work to perform during times when they are not participating in treatment programs;
3. There was a great deal of fear and misunderstanding among the inmates about what was expected of them and what would happen to them while they were at G.A.T.U.;
4. Some inmates said they would prefer to be transferred from G.A.T.U. to an ordinary correctional centre because they were far from their home environment and consequently saw their families

only rarely, and some also felt stigmatized by their incarceration at G.A.T.U.

5. Some inmates said they would prefer to be transferred from G.A.T.U. to a regular psychiatric hospital for treatment; and
6. A great deal of time was spent awaiting a transfer from G.A.T.U. to another institution after assessments had been completed.

Although the Guelph Assessment and Treatment Unit officially opened on October 1, 1975, it took some time to become established to the point where both the assessment and treatment programs were fully operational. As a result, our initial visit to G.A.T.U., in November, 1975, was premature in the sense that an accurate assessment of the programs and the facilities could not be made.

As a result of subsequent visits by our Investigators, some concerns were expressed by both staff and inmates.

One of the main concerns of staff was the need for increased communication between correctional officers, administrators and professionals. Correctional officers were concerned because the professionals were not providing the necessary guidance and information to enable them to deal effectively with inmates in the assessment and treatment milieu of G.A.T.U. In addition, some officers said there was a need for additional in-service and out-service training on how to deal with mentally and physically disturbed inmates. Many of the officers who began working in G.A.T.U. had very little, if any, relevant experience in the clinical areas.

Some staff members felt that many of the programs in G.A.T.U. were not very time-absorbing. They felt that both the correctional officers and the inmates had too much free time on their hands. The net result of excessive free time was leniency toward inmates and not enough discipline.

Some of the concerns of the officers were supported by the inmates. For example, some of the inmates requested some kind of industrial program or work to perform while they were not participating in the treatment program. They felt that there was not enough work or activity to keep them occupied.

Having begun part of the treatment program at G.A.T.U., some inmates expressed a preference for the treatment in a psychiatric hospital. Another source of frustration for many inmates who have been assessed was the length of time they had to wait before being transferred from G.A.T.U. to another facility.

## RECOMMENDATIONS

BECAUSE OF THE NATURE OF THE GUELPH ASSESSMENT AND TREATMENT UNIT, IT WOULD TAKE A GREAT DEAL OF TIME TO ASSESS ITS THERAPEUTIC PROGRAMS. ALTHOUGH IT IS CONCEIVABLE THAT THIS TASK MIGHT BE UNDERTAKEN AT SOME FUTURE TIME, IT IS NOT OUR INTENTION HERE TO MAKE SPECIFIC RECOMMENDATIONS ABOUT THE ASSESSMENT AND TREATMENT PROGRAMS. OMBUDSMAN PERSONNEL ARE NOT EXPERTS IN THE FIELD OF INMATE THERAPEUTIC PROGRAMS OF THE TYPE BEING UNDERTAKEN, AND THE UNIT'S PROGRAMS THEMSELVES ARE NOT YET FULLY ENTRENCHED. FOR A PROPER ASSESSMENT OF THE TREATMENT PROGRAMS TO TAKE PLACE, WE FEEL IT WOULD BE NECESSARY TO INVOLVE INDEPENDENT EXPERTS WHO ARE EXPERIENCED WITH THE TYPES OF TREATMENT MODES AVAILABLE AND IN USE. HOWEVER, WE HAVE MADE SOME GENERAL PROCEDURAL RECOMMENDATIONS, AND THE MINISTRY HAS INFORMED US THAT THEIR EXTERNAL CONSULTANTS ARE BOTH INDEPENDENT AND EXPERT.

### WE RECOMMEND:

1. THAT SERIOUS CONSIDERATION BE GIVEN TO THE IMPROVEMENT OF COMMUNICATIONS AMONG ALL STAFF MEMBERS AND THE ADMINISTRATORS IN ORDER THAT MORALE CAN BE LIFTED, A CLARIFICATION OF ROLES PRESENTED, AND THE OBJECTIVES OF THE UNIT'S PROGRAMS BETTER UNDERSTOOD. (In June, 1977, the Superintendent informed us that a committee had been formed to study the Unit's administration, as well, he said, the Director and Deputy Director now attend senior management meetings to help improve communications among senior staff.) AND
2. THAT AN INTENSIVE STAFF TRAINING AND DEVELOPMENT PROGRAM BE INSTITUTED ON AN ON-GOING BASIS TO PROVIDE THE SPECIALIZED KNOWLEDGE NECESSARY FOR THE SUPERVISION OF THE SPECIAL TYPE OF INMATE DEALT WITH AT G.A.T.U.; AND
3. THAT ADDITIONAL PROGRAMS, IN THE FORM OF SOME KIND OF INDUSTRIAL PROGRAMS, OR WORK PROGRAMS BE ESTABLISHED TO COUNTERACT INMATE INACTIVITY AND BOREDOM. (In June, 1977, the Superintendent informed us that one proposal, the establishment of a mini-textiles shop, was under consideration, but, he added, the proposal would have to await a clarification of staffing needs.) AND
4. THAT IN ORDER TO CURB SOME OF THE FEARS AND ANXIETIES FACED BY SOME INMATES WHO ARE SENT TO G.A.T.U., A MORE IN-DEPTH ORIENTATION PROGRAM BE ESTABLISHED WHICH WOULD BE PRESENTED TO INMATES DURING THEIR FIRST FEW DAYS AT THE UNIT; AND
5. THAT THE MINISTRY STREAMLINE ITS TRANSFER-OUT PROCEDURES FOR THOSE INMATES SENT TO G.A.T.U. SOLELY FOR ASSESSMENT PURPOSES AND WHO ARE NOT INTENDED TO REMAIN AS LONG-TERM RESIDENTS. (In December, 1977, the Ministry informed us that inmates assessed but not admitted are reclassified and transferred without undue delay.) AND



6. THAT THE MINISTRY MAKE EVERY EFFORT TO ENSURE THAT G.A.T.U. WILL NOT BECOME OVERCROWDED AND THEREBY A NON-FUNCTIONAL FACILITY CARING FOR THOSE TYPES OF INMATES WHO MAY BE GREATLY PROBLEMATIC IN OTHER CORRECTIONAL INSTITUTIONS, OR WHO MAY HAVE SEVERE PSYCHIATRIC DISORDERS AND MAY NEED TO BE HOUSED IN OTHER INSTITUTIONAL SETTINGS; AND
7. THAT SOME INMATE-PATIENTS BE TRANSFERRED TO MENTAL FACILITIES AND REGIONAL PSYCHIATRIC HOSPITALS WHERE THERE EXISTS THE ADVANTAGE OF CONCENTRATED EFFORT IN RELATION TO SPECIFIC TREATMENT MODALITIES. IN ORDER TO PROVIDE THESE TYPES OF INMATE-PATIENTS WITH THE BEST POSSIBLE CARE, WE SUPPORT THE CO-OPERATION BETWEEN THE MINISTRY OF CORRECTIONAL SERVICES AND THE MINISTRY OF HEALTH AND RECOMMEND THAT IT BE CONTINUED AS AN ONGOING POLICY; AND
8. THAT MORE USE BE MADE OF HALF-WAY HOUSES FOR INMATES WHO HAVE BEEN TREATED AT G.A.T.U. AND WHO ARE ABOUT TO BE RELEASED INTO THE COMMUNITY; AND
9. THAT A SEPARATE ALARM SYSTEM BE INSTALLED AT G.A.T.U. IN ORDER TO ENHANCE SAFETY AND SECURITY. (In June, 1977, the Superintendent informed us that an alarm system was being hooked up which was to be functioning within one month.)

MAPLEHURST CORRECTIONAL COMPLEX

GENERAL

The Maplehurst Correctional Complex, which officially opened on July 31, 1975, is located near Milton, about 30 miles west of Toronto. The medium-security centre's official capacity is 200 male inmates in the correctional centre and 200 male inmates in the adult training centre.

The centre's official staff complement included 33 management and 147 correctional personnel.

Our observations of this institution began in November, 1975, and have continued to date.

INMATE POPULATION

October 31, 1975-----	178
November 12, 1975-----	201
January 27, 1976-----	305
March 31, 1976-----	388
October 5, 1976-----	387
January 27, 1977-----	401
July 22, 1977-----	394

Although this is a new institution, which has been open only two years, it has already reached its official capacity.

Community Resource Centre

The Maplehurst Complex is not served by a Community Resource Centre and the Ministry has no plans to establish one in the near future. (In June, 1977, the Superintendent informed us that there were sufficient C.R.C.'s to adequately meet the centre's needs. At the same time, the Ministry informed us that it had received "only negative responses" from institutional authorities regarding the establishment of a C.R.C. for Maplehurst. Yet, in October, 1976, the Superintendent, answering a questionnaire from our office, said that 7% of the Centre's 400 inmates could be classified to a C.R.C.)

Future Building and/or Renovation Program

The Ministry has allocated funds for the construction of 24 segregation cells.

STAFFING

NOTE:        Management = M = Superintendent  
                                Deputy Superintendent  
                                Assistant Superintendent  
                                C.O. 5 (Lieutenant)  
                                C.O. 4 (Sergeant)  
                Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	22/134 (1:6)	22/150 (1:6.8)
Actual M/C Complement	22/134 (1:6)	22/150 (1:6.8)
Official Inmate Capacity	400	400
Official C - Inmate Ratio	1:3	1:2.6
Actual Inmate Population	178	401
Actual C - Inmate Ratio	1:1.3	1:2.6

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Maplehurst Complex spent \$47,473 for staff overtime, and an additional \$247,280 for casual employees. The total additional salary expenditure for the year was \$294,753, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 25.5 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 90 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 35.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased by 20.)

#### Correctional Officer Turnover

As of January 27, 1977, the Maplehurst Complex had 150 correctional officers on staff.

- 43 (29%) had less than 2 years experience.
- 99 (66%) had between 2 and 5 years experience.
- 8 ( 5%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.



After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

During its five months of operation in 1975, the Centre lost 10% of its correctional officers through separations and in 1976 it lost 13.6% for the same reason. On the basis of these figures, the Centre suffered an excessive staff turnover rate in 1976.

## SECURITY

### 1. Escapes

From July 31, 1975, when it was officially opened, to March 31, 1976, there was 1 escape from this institution. The inmate was recaptured.

### 2. Deaths

Between July 31, 1975 and March 31, 1976, there were no deaths at Maplehurst.

### 3. Inmate Damage

According to institutional officials there is little incidence of inmate damage to the centre's facilities.

### 4. Hostage-Taking Incidents

Our Investigators were informed that there have been no hostage-taking incidents at the centre.

### 5. Current Security Problems

During our visits to this centre since 1975, and our conversations with the Superintendent and correctional officers, some correctional personnel commented that although Maplehurst was intended to house medium-security inmates, the occasional overcrowding at nearby Guelph Correctional Centre had resulted in Maplehurst's having to accept a more varied type of inmate.

Some correctional personnel recommended that if the institution was to continue receiving such inmates, security in and around the facility should be upgraded. The Superintendent also commented on the fact that some inmates being received were not suited to the medium-security setting at Maplehurst.

Staff at the institution voiced some of the same concerns to our Investigators when they revisited the centre in October, 1976.

According to a Ministry inspection report, completed by an Inspector from the Inspections and Standards Branch concerning his visit to Maplehurst from July 21-30, 1976,

"Many staff members are recent employees, and have not yet acquired the sense of security which is necessary, even when working in a free setting and with close inmate relationships."

(In June, 1977, the Superintendent commented, "Maplehurst has experienced some difficulties with inappropriately classified inmates as have most institutions. Despite this fact and the lack of well experienced staff Maplehurst has had few serious incidents. Over the past year the security of this institution has been upgraded. Modifications to the locks in use have been made and close circuit television now monitors the perimeter. As well, a complete review of our security procedures has been made.)

There was one additional security problem which was brought to our attention, but in the interests of both staff and inmate safety, we have outlined that concern in a special appendix in this report to the Ministry.

#### SEGREGATION

On October 5, 1976, the centre had six segregation cells and five were in use on that date. During the six-month period ending October 5, 1976, 278 inmates had been placed in segregation, 210 for disciplinary reasons, 45 for their own protection, and the balance for other reasons.

The Superintendent informed us that he communicates with inmates in segregation on a daily basis.

Our office was surprised by the high number of inmates being placed in segregation -- especially for disciplinary reasons -- in this modern medium-security institution, and feels that the main reasons for this high number are that some long-term recidivist inmates are being sent to the centre because of over-crowding at other institutions, and because correctional officers, trained to deal with medium-security inmates, were, without proper additional training, being forced to deal with more troublesome inmates.

According to a Ministry inspection report, dated August 18, 1976, "The need for more segregation cells was quite apparent. With a population averaging close to 400, many of whom are recidivists in a relatively open setting, there appears to be a need for another 20 cells."

The senior staff, after reviewing the inspection report, replied, under the signature of the Deputy Superintendent, on September 15, 1976, and commented to the Centre's Regional Administrator, "The need for more segregation cells is apparent and we agree fully with the Inspector's comments. We hope that in the near future money will be available for the construction of additional segregation cells." (As of June, 1977, the Ministry had allocated funds for the construction of 24 additional segregation cells.)

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 26 originated from inmates at the Maplehurst Complex.

Of that number, six concerned medical treatment, and one each dealt with dental treatment, visiting privileges, the centre's meals and the use of segregation.

We have included excerpts from the following letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

One inmate wrote to our office from Maplehurst, saying, in part,

"My intitial complaint is, I had tests given to me at Brampton O.C.I. which showed good prospect for learning. There I went through 3 weeks of assessment and was told I would be sent to the Maplehurst A.T.C. [Adult Training Centre] to further my education.

"Upon my arrival here, I found out I had to go through another assessment which consisted of absolutely nothing...

"Then the officers came up to me and said I was going to the C.C. [Correctional Centre].

"I was shocked. As soon as I came here, I put in a request asking why this had happened? The request, answered by ----- stated that I will go over to the A.T.C. as soon as there is an opening. 1 1/2 mth's later, I write you this letter because I am positive there have been openings...

"This is my first offence, I'm 17, and I have no institutional charges since I arrived at the Don Jail...

"What are female officers doing in a male institution especially on night shifts? When they are around, we have to use only proper English and make sure they aren't around when you change. It's nerve racking.

"Especially in a system that's designed for 100% employment when there's only 40-60%.

"The rest of us can't play cards, work on hobby craft or use any of the facilities like T.V. or pingpong until 4 p.m.



"We do nothing all day, and then all of a sudden, we do everything at once with not enough time to do it..."

"I hope something may be done here."

(Our Investigation revealed that the inmate was being considered for parole and that he did not wish us to pursue his complaints about Maplehurst. However, we took this inmate's concerns into account when preparing this report.)

#### INSTITUTIONAL MORALE

At the time of our initial visit to Maplehurst Complex, in November, 1975, the institution had been operating for only a very short time.

By October, 1976, both staff and inmate morale were described as medium by staff, inmates and Investigators from the Office of the Ombudsman.

#### Conclusions

The reasons for the medium morale assessment included:

1. The fact that initially Maplehurst was supposed to accommodate first time offenders or selected recidivists who did not pose security problems. However, because of the tremendous overcrowding in the Ontario system, Maplehurst has received more difficult inmates. This change in plans caused concern among most of the correctional officers.
2. The need for an on-going staff training and development program to ensure maximum efficiency in the operation of the institution.
3. The presence of a large number of young, inexperienced correctional officers with less than two years' experience.
4. The lack of a fully operational industrial training program to keep inmates occupied resulted in many inmates remaining idle.
5. The staff perception that there was a need for more communication between senior administrators and correctional officers.

Factors which contributed to the medium inmate morale in October, 1976 included:

1. Frustration on the part of inmates because some of the industries which had been initially slated for the huge vocational areas were not operating.

- The result was a significant amount of enforced inmate idleness.
2. The failure of the administration to make available to the inmates some of the large facilities and expensive equipment. For example, the modern, well-equipped library was only minimally available to inmates. The inmates also complained that for days at a time the two large gymnasiums were seldom used and that during the winter of 1975-76, the outdoor hockey rink was not sufficiently used. Several dozen pairs of hockey skates, and hockey equipment and ice-cleaning equipment remained virtually idle.
  3. An inconsistent application of the centre's rules and regulations. The result was a large number of disciplinary infractions which resulted in an excessive use of segregation.
  4. The educational program in the Adult Training Centre. The academic program ranged from the primary level through Grade XIII and the Community College level. The inmates expressed satisfaction not only with the programs but also with the full-time teaching staff and the modern teaching equipment.

The Maplehurst Complex is an extremely modern and impressive medium-security institution resembling more of a university residence than a prison. The two sections of this complex, the Correctional Centre and the Adult Training Centre each have an official capacity for 200 inmates.

At the time of our November, 1975 visit, the institution was operating at one half total capacity, with approximately 200 inmates. It had been operating for approximately one month. The Superintendent advised us then that with a staff complement of 126, the institution was not understaffed, but that, on the other hand, over 70% of his correctional staff had less than one year's experience.

This facility has such a large physical lay-out that motor scooters are used by some staff. The facilities of this complex are in sharp contrast to those existing in the local jails. The inmates sleep in individual rooms which are never locked, and they have a great deal of freedom to move around within the living unit. There is a wide range of activities offered to them, including two fully-equipped gymnasiums, an outdoor artificial skating rink, pool tables, weightlifting equipment and colour televisions. In short,

the construction of this complex was a very expensive undertaking, but some inmates complained that the resources of the complex were not fully available to them.

In the Adult Training Centre, the focus is on education. The academic programs range from the primary level through Grade XIII and the Community College level. With a full-time teaching staff, supplemented by some of the most modern teaching equipment - including a well-stocked library and audio-visual teaching aids - the inmates have the opportunity to obtain a good education.

On the other hand, the main purpose of the correctional centre is to provide vocational training and jobs within the institution.

For the most part, the morale of the staff and inmates was assessed as moderate. However, both the administration and inmates had been frustrated at the Correctional Centre because the industries which initially had been slated for the huge vocational areas had not materialized. The result was a high level of inmate idleness in the Correctional Centre. The administration attempted to resolve this problem but with no results. The inmates complained of boredom, largely because of this enforced idleness.

It was our understanding that some inmates were engaged in a work-for-pay program. Part of their salary contributed toward the cost of their room and board. In appropriate cases, some inmates were allowed to contribute a portion of their earnings to any dependent they might have had in the community. In our opinion, there should be more of this type of inmate program established by the Ministry. Probably the best example of an inmate work/pay relationship exists between Essex Packers and the Guelph Correctional Centre. Our office supports the administration at Maplehurst in its attempts to provide additional inmate work and vocational programs.

One of the biggest complaints of the inmates and some staff was the failure of the administration to make available some of the tremendous facilities and expensive equipment to inmates and staff. For example, we noted that the modern, well-equipped library was only minimally accessible to all inmates in the institution.

Furthermore, correctional officers and inmates pointed out that for days at a time the two large gymnasiums were seldom put to use. During the winter of 1975-76, they said, the outdoor hockey rink was underused. As a result, several dozen pairs of hockey skates, hockey equipment, and ice cleaning equipment remained idle. We were told that repairs were needed before the ice rink could become operational. However, it did not appear to us that these repairs had been made a priority. (During the winter of 1976-77, the Ministry informed us, the rink was used on 53 of a possible 96 days. Inclement weather often affected the rink's use.)



Moreover, a senior staff member pointed out that the 35 mm. techniscope equipment with which the institution has been equipped had been used only once. He also pointed out that some expensive audio-visual equipment, such as that in the auto body shop, has never been used. In effect, there are hundreds of thousands of dollars worth of equipment and facilities at Maplehurst which lie idle most of the time. Some staff members have stated that inmate apathy is to blame.

However, some inmates told our Investigators that the administrators of the complex had not made many of the facilities available to them.

Whatever the case, it was the opinion of our Investigators and senior staff that the Ministry of Correctional Services should take immediate steps to ensure that this expensive equipment is used. Our Investigators and senior staff also felt strongly that the administrators of the complex should make much better use of facilities such as the library, the outdoor hockey rink and the two gymnasiums for inmate recreation than they have in the past.

The most important point we noted about Maplehurst was the fact that it was originally designed to house minimum-security inmates. However, because Guelph Correctional Centre is the only medium-security institution in southern Ontario, it had an inmate waiting list of about six months. To take some of the pressure off Guelph, several medium-security inmates had been transferred to Maplehurst and that institution had to house medium-security inmates in a minimum-security setting. This created undue hardships on both staff and inmates. The rules and regulations governing inmates had to be revised quickly. Furthermore, there was a decline in staff morale because correctional officers were expecting to deal only with first offenders and selected recidivists.

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT THE MINISTRY TAKE EVERY STEP TO ENCOURAGE THE ESTABLISHMENT OF INDUSTRIAL TRAINING FACILITIES IN THE INSTITUTION TO RELIEVE INMATE IDLENESS. (In June, 1977, the institutional authorities informed us that negotiations were then in their final stages to provide a comprehensive industrial base for the Centre); AND
2. THAT THE CENTRE'S ADMINISTRATION MAKE ADEQUATE USE OF THE MODERN (AND COSTLY) EQUIPMENT PROVIDED FOR INMATES; AND

## MILLBROOK CORRECTIONAL CENTRE

### GENERAL

The Millbrook Correctional Centre, opened in 1957, is located about 75 miles northeast of Toronto, near Peterborough.

The centre's official capacity is 234 maximum-security sentenced inmates. Its official staff complement as of October 5, 1976, included 27 management and 85 correctional personnel.

Our observations of this institution began in November, 1975, and have continued to date.

### INMATE POPULATION

April 1, 1971	-----195
April 1, 1972	-----176
April 1, 1973	-----190
April 1, 1974	-----171
April 1, 1975	-----186
October 31, 1975	-----217
December 8, 1975	-----214
January 27, 1976	-----197
March 31, 1976	-----184
October 5, 1976	-----208
January 27, 1977	-----207
July 22, 1977	-----117

The Millbrook Correctional Centre, with an official capacity of 234 inmates, has not experienced an overcrowding problem for at least 6 years.

(It should be noted, however, that Millbrook Correctional Centre is really three institutions within one outer wall. There are three groups of inmates who must be housed in separate areas for security reasons, and this often results in overcrowding in some areas of the centre. The three groups of inmates are designated as security/behaviour problem inmates, protective custody inmates and sexual/behaviour problem inmates.)

### Community Resource Centre

The Millbrook Correctional Centre is not served by a Community Resource Centre and the Ministry has no plans to establish one in the near future.

### Future Building and/or Renovation Program

The Government had approved plans for a \$346,000 air-circulating system and for a \$1.28 million detention unit. There was no projected completion date for the former project, but the latter had a tentative completion date of 1980.

The Government also had approved an expenditure of \$1.515 million for changes which would improve the centre's inmate program facilities, but this plan (as of early 1977) was deleted from the Capital Expenditures Program schedule by the Ministry pending a review of the programs required at this Centre.

As a long-term project, one which was grouped with several others at the lowest priority level in the Ministry's Major Capital Expenditures Program, the Government had approved the construction of a \$16.212 million Detention Centre. This plan has been withdrawn.

In August, 1977, we were informed that the Ministry had submitted a new long-term accommodation plan to the Government, but the plan was subsequently withdrawn for revisions.

#### STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent

Assistant Superintendent

C.O. 5 (Lieutenant)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77</u> *
Official M/C Complement	14/90 (1:6.4)	14/90 (1:6.4)
Actual M/C Complement	14/87 (1:6.2)	15/87 (1:5.8)
Official Inmate Capacity	234	234
Official C - Inmate Ratio	1:2.6	1:2.7
Actual Inmate Population	217	207
Actual C - Inmate Ratio	1:2.5	1:2.4

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were three staff vacancies.

From April 1, 1975 to March 31, 1976, the Millbrook Correctional Centre spent \$97,532 for staff overtime, and an additional \$150,230 for casual employees. The total additional salary expenditure for the year was \$247,762, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 21.4 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 52 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays,



regular days off and sick leave, the correctional staff complement should be increased by 1.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In June, 1977, the Ministry informed us that the Superintendent estimated that Millbrook's correctional officer complement should be increased by six rather than the one suggested under the staffing formula. The six officers, he felt, were needed to enable the institution to undertake a sufficient amount of staff training and also to allow for escort and other responsibilities which drain existing staff time.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased by 8.)

#### Correctional Officer Turnover

As of January 27, 1977, the Millbrook Correctional Centre had 87 correctional officers on staff.

- 9 (10%) had less than 2 years experience.
- 48 (55%) had between 2 and 5 years experience.
- 30 (35%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Centre lost 8% of its correctional officers through separations and in 1976 it lost 7% for the same reason. On the basis of these figures, the centre was not suffering from an excessive staff turnover rate.

#### SECURITY

##### 1. Escapes

There were 2 escapes during the five fiscal years April 1, 1971 to March 31, 1976. Both inmates were recaptured.

(Although the Ministry officially lists two escapes, our Investigator learned that there had been no escapes from

within the walls of the institution during the five-year period April 1, 1971 to March 31, 1976. However, the Ministry includes inmates who fail to return to institutions from Temporary Absence Passes as "escapes," and it is apparent that it was this type of inmate action which was described by the Ministry as inmate escapes from Millbrook.)

## 2. Deaths

One death occurred during the four fiscal years April 1, 1972 to March 31, 1976.

During the two-year period ending in mid-November, 1975, there were 14 attempted suicides at this institution.

The reason for the high number of attempted suicides probably relates to the number of emotionally disturbed inmates at the centre as well as to the types of inmates classified to this maximum-security setting.

## 3. Inmate Damage

The incidence of inmate damage to the institution's facilities was minimal.

## 4. Hostage-Taking Incidents

There have been no hostage-taking incidents at the centre.

## 5. Current Security Problems

During our visits to this institution since 1975, and our conversations with the Superintendent and correctional officers, some correctional staff brought forward complaints about both perimeter and internal security. Several officers commented that perimeter security was poor. Some possible solutions were (a) that a security fence be built outside the already-existing high brick walls which are manned with observation posts, (b) that the posts be manned more often, especially during recreation and exercise periods, and (c) that a gate-house be constructed at the foot of the driveway leading to the institution and that it be manned during the evening and overnight.

(In June, 1977, the institutional authorities responded to these concerns. They felt (a) that an additional fence would not appreciably add to security; (b) that while the observation tower is manned during exercise periods, it would be an underutilization of staff to man it continuously; and (c) that the construction and staffing of a gate-house would not impede anyone who wanted to approach the centre by travelling across the adjacent fields.)

Regarding internal security, the officers said (a) that there were not enough inmate or cell searches, (b) that because of understaffing there were not always sufficient

staff to safely supervise inmates, (c) that the control area, located close to the weight-room, was not secure in the event that inmates, armed with weight equipment, attempted to attack it (a perception shared by our Investigators), (d) that, at least with one community group, their meetings were not held in the chapel - the area which the staff felt was the most secure, and (e) the staff felt that security around the inmate assessment area should be tightened because only one officer is posted there, and if inmates should overcome him, they would have access to the medical treatment area. The lone female nurse who works in that area from 4:30 p.m. until 11:00 p.m., voiced the same concerns. Although the inmates would be able to proceed no further than the medical area, they would have access to all drugs and supplies, and would be in a position to take the nurse hostage, and (f) some staff members commented that security procedures were more difficult to carry out because of staff shortages and the high number of inmates who were, in their opinion, psychotic and unpredictable. Many of these inmates, they said, had been sent to G.A.T.U. for assessment and possible treatment, but had been returned to Millbrook as untreatable.

(In June, 1977, the institutional authorities responded to these concerns. They said (a) that cell searches are ongoing and there is a constant search of the institution; (b) that, on occasion, there is some validity to this security concern in that there is insufficient staff to provide flexibility; (c) that the doors between the weight room and the control area will be steel reinforced before the winter of 1977; (d) that until an activities-programming space is established, the Centre will continue to suffer from a lack of properly-secure program areas; (e) that the possibility of providing more secure doors into the nurses' office and medical area was being explored; and (f) that Millbrook does, indeed, have to handle very difficult inmates, many of whom it is felt could be better accommodated in mental health facilities.)

According to a Ministry inspection, carried out by an Inspector from the Inspections and Standards Branch from April 23-25, 1975, there were no major security problems at the institution at that time.

A subsequent inspection report, reflecting observations made from June 7-11, 1976, also concluded that there were no major security problems at the institution.

#### SEGREGATION

As of October 5, 1976, Millbrook Correctional Centre had 18 segregation cells and 12 were in use on that day. The centre also had eight close confinement cells, six of which were in use. During the six month period ending



October 5, 1976, 316 inmates had been placed in segregation, 262 for disciplinary reasons, and 56 were voluntarily housed in segregation for their own protection.

The Superintendent informed our Investigator that he communicates daily with inmates housed in the segregation cells.

(The difference between segregation and close confinement is that the eight close confinement cells are in the back of the segregation corridor and are sound-proof and have only a hole in the floor, which is used for toilet functions and which flushes automatically every few minutes. The close confinement cells are used for punishment for inmate misconduct and also for medical isolation cases as well as for those who are severely disturbed and cannot be housed with any other inmate group.)

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 54 originated from inmates at the Millbrook Correctional Centre. Of that number, 13 concerned medical treatment, six dealt with the use of segregation, and one concerned dental treatment. There were no complaints about the centre's meals or about visiting privileges.

We have included excerpts from the following letters received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

One inmate wrote about general conditions at the Centre, saying, in part,

"The inmates in Millbrook spend an average of 18 hours a day locked in a cell.

"The emphasis here in Millbrook is confine control, and punishment. Everything is one sided all take with no give. There is no way we can air our problems in here we must seek out side help.

"We have demonstrated peaceful that we wish to be heard, for the betterment of the conditions in here. We are prepared to go on a hunger strike indefinitely, we wish to avoid what happened in the Ottawa Jail.

"Our feeling are we have nothing to lose because we have nothing... The tension in here is high because of the attitudes and conditions in here...

"At the moment all inmates are organized in peaceful means, in hopes that we

shall be heard, failing this peaceful means will no longer be of any use. Thanking you and your staff, for hearing us, we are respectfully..."

(When our Investigator met with this inmate, he had three specific concerns: - 1) He did not feel he should have been classified to this maximum-security setting; 2) He contended that needed medical attention for a shotgun blast to his back -- received before his incarceration -- was not being given, and 3) He wished to be transferred to the Ontario Correctional Institute in Brampton for treatment of his alcohol problem.

(Our Investigator informed the inmate that he would have to undergo a three month misconduct-free period before being considered for reclassification from Millbrook. After speaking with institutional authorities, our Investigator was informed by the Superintendent that an institutional doctor would prepare a workup on the inmate's back problem and report on whether treatment was necessary. With respect to the inmate's desire to transfer to O.C.I., the Investigator explained that the social workers at Millbrook should be contacted to assess the inmate's motivation. The inmate was told that if they felt his motivation was satisfactory, they would complete an assessment for admission which would then be forwarded to the O.C.I. Admissions Committee.)

Another inmate's letter highlights some of the problems peculiar to the Millbrook Correctional Centre.

"I am writing to you in hopes of getting some action taken here. I have written to Queens Park, the attorney general, also the solicitor general. In response of my letters to them I never got no action.

"You see when I first came here I did not know about the Sex offenders wings here. Now I am trying to get there as I'm bi-Sexual and I feel it's better for me to be in the Sex offenders wing instead of in Protective Custody.

"I have taken this matter up with ----- who deals in this matter but I get no response from him or anyone here.

"I am bi-Sexual on the street and I feel that I should be in the group 2 categorie here in Millbrook. So I'll leave this up to you to look into for me, & please write back as soon as possible. Thank you."

(Our investigation revealed that this inmate was not bi-sexual, but only sought to be transferred for personal reasons from the protective custody wing. After discussing the matter with the Centre's officials, our Investigator concluded the inmate's complaint was not justified.)

One letter, sent to our Office before the Ombudsman was officially sworn in, was, according to its author, approved by seven inmates in segregation in June, 1975. It said, in part,

"The public knows absolutely nothing of Millbrook, lack of publicity, whatever, this place is far behind the standards of the way a institution should be run in 1975. I invite you to come up and see us here in segregation the custodial staff will be pleasant to you and lie to you with smiles on they're faces every inmate is on they're games long time ago.

"But when you leave they revert back to the power weilding demi-gods they think they are. You may think my attitude is rebellious, but it isn't, this is merely a letter telling it like it is.

"We are constantly being short-changed in every aspect of our stay here which I hope will be changed with you help. If you would come up and interview us you would see that we're pleasant willing to tell you our beefs with this joint.

"You may find allegations that border on the unbelievable but alas every and each one can and will be substantiated.

"You are, our hope to stem this flood of gross miscarriages of justice. I myself have been in this institution since Sept. 74 and I can relate many incidents which we paid twice the penalty...

"Here I will close my letter with a great hope that you will look into this



matter and get to the bottom of this snake filled pit."

(One of our Investigators interviewed this inmate and others during our initial correctional report survey and brought his concerns to the attention of the Superintendent. His and other inmates' comments were taken into account in the preparation of this report. The inmate was moved to another province.)

An inmate who wrote to our office in February, 1976, said he was in segregation, commented, "Frankly, I myself don't have much faith in your organization,..." because, according to him, the Office of the Ombudsman had not changed conditions in the institution, then added,

"We still aren't getting our old weekend movies yet and the Rats, D.Q.'s [probably refers to drag queens] and Diddlers are still getting more privileges than us.

"Also there are some Guards here who deliberately try to incite the inmates into an uproar, by fooling around with the radio & T.V. speakers and such childish things.

"It isn't hard to get an inmate upset in a place where our only outlet for our pent-up tensions, both sexual & mental is sports or for some of us; weight-lifting which is only an hour and half out of every 48 hours and even this is not consistent as sometimes we have 3 or 4 days between weight or sport periods.

"So in view of all this I think we are acting pretty well under such duress that we know from the moment we come here, til the minute before we go out the front door. When is it going to stop, or should I say, Where will it end?"

(Our investigation revealed that the Superintendent was about to begin showing movies once a month, that he would have liked to increase recreational activities for inmates, but did not feel he had sufficient staff or room to do so, and that, since the television programs for the inmates were fed through one mixer, all inmates were obliged to watch the same program at the same volume. The Superintendent said, however, that he would have a poll taken of inmates in an

effort to provide them with more programs which they would prefer.)

Another inmate, who first wrote us asking if we could help him obtain a transfer from Millbrook to Maplehurst, so that he could join a work program at that new institution, later learned he was to be transferred to a federal penitentiary.

In a later letter, while still at Millbrook, he said, in part, of our Investigator's visit with him at the institution,

"At the very least, you made me feel good inside. You wanted to help, but I'm not sure there is anything that you could do? I may be wrong??...

"You might wonder how I can say you're a friend of mine? Well, 'you came to me' when I was down and feeling desolate. And surely enough, you both succeeded to turn my day into a party! You showed concern for me, yet, who was I to you, but someone who needed a friend! I put my trust in you...

"But the thing is, you were there. You were kind, soft-spoken, and were all ears to me...

"I really wish there was something you could do for me but I refuse to remain provincial! I know it sounds sad, but if you were me, then you would be able to understand easier.

"She says to be cool for three months. Oh, sure. But I say; why waste that time to begin with? One can learn a lot in three months.

"But there ain't nothin here to learn, cept hate & regret.

"I intend to learn all I can in the Pen... I intend to get back into business when I get out. I hope to get a consortium together, with my brother, -----, he's in K.P. [Kingston Penitentiary] right now...

"I would like the chance for a good talk but it would take at least a few hours. I'd like to hear your point of view, & just what it is you are trying to accomplish for the province?

"Promise we'll meet again? Even if it's when I get out, maybe we could have a beer together!"

### INSTITUTIONAL MORALE

From November, 1975, through October, 1976, the staff, inmates, and Investigators from the Office of the Ombudsman described the staff morale as medium.

During the same period, staff and inmates described inmate morale as medium.

### Conclusions

The factors which contributed to the medium staff morale included:

1. The steadily improving effective leadership and management provided by senior administrators.
2. The consistent application of the centre's rules and regulations.
3. The low staff turnover rate.
4. The need for an on-going staff training and development program was commented upon.

Many senior officers had not attended a refresher course since they joined the Ministry of Correctional Services. They emphasized that because Millbrook was a maximum security facility, the tension level of inmates was high, and on-going staff training was a necessity. (According to information supplied to our office in April, 1977, a new position to deal with staff training and development and to be filled by a correctional officer, Level 5, has been approved.)

5. There is an absence of positive communication between staff and inmates.

Some of the factors which contributed to the medium inmate morale between November, 1975 and October, 1976, included:

1. The absence of suitable work and recreational activities. At one time, many inmates were occupied on a daily basis manufacturing licence plates. However, since the province instituted the five-year licence plate, there has been a significant reduction in this work program, many inmates spend much of the time locked in their cells, and they are constantly bored.
2. Some inmates were worried about being coerced and beaten by fellow inmates.



3. The reluctance of many of the inmates at Millbrook to accept their being classified to the maximum-security facility which receives most of the problem prisoners in the correctional system.
4. The communication gap which existed between inmates and the security staff.
5. The perception of some inmates that some other prisoners had psychiatric, emotional or learning disability problems which could not be corrected by incarceration in a maximum-security facility.
6. The inmate realization that once they were classified to Millbrook, it was difficult to be transferred to a medium-security institution. Once reclassified, the usual waiting time for a transfer was about three months of misconduct-free behaviour.
7. Those inmates who were protective custody inmates, or considered to be sexual problems (such as sexual offenders or active homosexuals) felt their chances of ever being transferred from Millbrook to a more normal correctional setting were minimal.

Millbrook Correctional Centre is classified by the Ministry as the maximum-security institution for the Province. Although all jails are maximum-security, Millbrook receives most of the problematic long-term incarcerates of the correctional system. These consist of violent offenders, sexual offenders, escapees, arsonists, inmates in need of protective custody, and those who have proved to be unmanageable at other institutions.

Since November, 1975, this facility has been monitored by the Office of the Ombudsman on a monthly basis.

Both our initial investigative team and subsequent Investigators agreed that it was a well-run institution with medium staff morale. Nevertheless, problems do exist. Unlike many of the other facilities, Millbrook is not, at least according to the figures, overcrowded. However, both the Superintendent and many correctional officers commented that the maximum number of inmates which should be held at Millbrook should be 185 because of the types of inmates incarcerated there and the necessity of keeping distinct groups separate from each other.

Although there may be empty beds in one section of the institution, only inmates classified as suitable for that section can be housed there. That is, inmates classified as "protective custody" cannot be placed in a "security/behaviour problem" inmate area.

In addition, 26 beds of the institution's total inmate capacity are for segregation or close confinement purposes and are used only for reasons of punishment, medical isolation, or isolation by reason of inmate need or request.

Most of the inmates were locked up for extensive periods of time because there is a paucity of constructive work programs and recreational activities.

For years, 100 inmates a day were occupied by making licence plates which motorists were required to buy on a yearly basis. However, when the Province instituted the five-year plate, there was a drastic reduction of inmate work in this section. Currently, only about 30 inmates are involved in a work program on a part-time basis.

This included 15 security/behaviour inmates who work half a day and the same number of protective custody inmates who work the opposite daily shift.

Other programs include the tailor shop (up to 18 sexual/behaviour problem inmates per day); the cleaners (scrub teams -- up to eight sexual/behaviour problem inmates per half day, and up to eight protective custody inmates on the opposite shift); the library (two sexual behaviour problem inmates per day); the jobbing shop (14 security/behaviour inmates per day); and the laundry (up to 10 security/behaviour inmates per day).

In total, then, work is provided for:

Sexual/behaviour problem inmates-----	10 full days
	8 half days
Security/behaviour problem inmates----	24 full days
	15 half days
Protective custody inmates-----	23 half days.

In addition, there is a school program available to all inmates on a split-shift basis to ensure the separation of the three inmate groups. In total, up to 24 inmates can participate in this program on a part-time basis.

These programs were hardly sufficient to occupy almost 200 inmates. To complicate the issue further, there is no suitable recreation area in which to conduct any meaningful type of recreational program other than a small weight-training room. The administration has proposed the construction of a new gymnasium and it is our opinion that a gymnasium is vital, mainly because recreation serves as one of the best means of reducing inmate tension.

Few inmates received Temporary Absence Passes from Millbrook because they were considered to be maximum-security inmates. Instead, they tried to obtain a reclassification from Millbrook to a less secure setting. The usual period for reclassification was 90 days of misconduct-free behaviour.

The Superintendent and some of his staff did not always feel that inmates sent to Millbrook were properly classified there. They felt that some inmates have emotional problems or learning disabilities which could not be treated through incarceration in a maximum-security facility. However, when no other institution could manage this type of inmate, Millbrook became the "dumping ground." Once an inmate had been classified to Millbrook, it was difficult to be transferred elsewhere. Even if an inmate becomes reclassified for another facility, more often than not, he must wait two to three months because there is a lack of space in other institutions. In effect, both staff and inmates at Millbrook were dissatisfied with the Ministry's classification and reclassification system.

The rate of recidivism was very high for inmates who were released from Millbrook. The men transferred to Millbrook from other institutions rarely saw the outside community until they were discharged. Yet, in accordance with the Ministry's mandate of rehabilitation, these men were expected to learn responsibility for their actions, to be able to elect socially acceptable life styles and behaviours, and motivate themselves toward self-improvement. These changes were expected to occur in a totally restricted environment that offered virtually no training in life skills or marketable services in society, and there was little incentive to alter existing motivations. Men who had been released from custody generally returned in a relatively short period of time and were often more bitter and resentful during the next period of incarceration. Almost everyone we spoke with agreed that Millbrook basically warehouses people.

In order for inmates released from Millbrook to have any chance of surviving in the community upon release, the Ministry of Correctional Services should seek alternatives to releasing inmates directly from maximum-security. For most of these inmates, a long stint at Millbrook institutionalized them. They are released from a setting which has almost total controls into a community which offers no controls, and the transfer is too drastic.

(In June, 1977, the institutional authorities informed us that they shared our concerns in this regard and they said they had recently submitted a proposal to reopen the camp at Millbrook so that inmates who had been classified for open institutional settings could live and work outside the walls. This proposal, supported by the Superintendent, has not been acted upon to date because of the unavailability of additional staff.)

For some time, the staff have been concerned about the internal and external security of the facility. In terms of external security, there was, they said, a need for a perimeter patrol. There are so-called "blind spots" which the



correctional officers in the towers are unable to see should someone approach the institution and throw a form of contraband (gun, knife or other weapon) over the wall and have it come into the hands of inmates.

In terms of internal security, the institution had taken steps to complete the installation of a security grille to prevent possible entrance to the top area of Central Control as well as posting a "cover" correctional officer to the assessment wing to provide extra security for the officer in the wing dealing directly with the inmates.

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT, IN LIGHT OF THE DECREASED GOVERNMENT DEMAND FOR LICENCE PLATES, AND THE CONSEQUENT ENFORCED IDLENESS OF INMATES, THE MINISTRY IMMEDIATELY ATTEMPT TO ESTABLISH A REPLACEMENT LIGHT INDUSTRY TO ENSURE THAT INMATES ARE OCCUPIED; AND
2. THAT THE MINISTRY ATTEMPT TO RESTRICT THE USE OF MILLBROOK BY OTHER INSTITUTIONS AS A "DUMPING GROUND" FOR HARD-TO-MANAGE OR PROTECTIVE CUSTODY INMATES SO THAT MILLBROOK STAFF WILL BE BETTER ABLE TO WORK WITH THE INMATES UNDER THEIR CARE AND SO THAT FEWER INMATES WILL BE STIGMATIZED WITHIN THE CORRECTIONAL SYSTEM BY HAVING BEEN HOUSED AT MILLBROOK; AND
3. THAT THE MINISTRY, IN LIGHT OF THE TYPES OF INMATES INCARCERATED IN MILLBROOK, ATTEMPT TO KEEP ITS INMATE POPULATION AT ABOUT 185 INSTEAD OF THE APPROXIMATELY 200 WHICH MILLBROOK CURRENTLY HOUSES; AND
4. THAT THE MINISTRY IMPROVE RECREATIONAL ACTIVITIES AT THE CENTRE TO ALLEVIATE INMATE BOREDOM; AND
5. THAT THE MINISTRY ACT IMMEDIATELY ON THE STAFF CONCERNS RESPECTING INTERNAL SECURITY, PAYING PARTICULAR ATTENTION TO PROVIDING ADEQUATE STAFF COVERAGE IN THE INMATE CORRIDORS AND ADEQUATE SUPERVISION OF INMATES IN THE EXERCISE YARDS; AND
6. THAT THE MINISTRY OF HEALTH, IN CO-OPERATION WITH THE MINISTRY OF CORRECTIONAL SERVICES, ESTABLISH SECURITY WARDS IN SELECTED REGIONAL MENTAL HEALTH CENTRES WHICH COULD BE USED FOR SOME INMATES IN NEED OF TREATMENT; AND
7. THAT THE MINISTRY REVIEW THE CLASSIFICATION PROCEDURES USED WHEN TRANSFERRING AN INMATE TO MILLBROOK TO ENSURE THAT INMATES WITH PSYCHIATRIC OR OTHER DIFFICULTIES ARE TRANSFERRED INSTEAD TO FACILITIES WHERE THEY MIGHT OBTAIN TREATMENT; AND

8. THAT, DESPITE THE NEW STAFFING FORMULA'S CONCLUSION THAT THE FRONT-LINE CORRECTIONAL STAFF BE INCREASED BY ONE, THE MINISTRY TAKE INTO ACCOUNT THE PECULIAR PROBLEMS OF OPERATING INMATE PROGRAMS IN A MAXIMUM-SECURITY INSTITUTION SUCH AS MILLBROOK AND INCREASE THAT STAFF NUMBER; AND
9. THAT THE MINISTRY ATTEMPT TO INCREASE THE NUMBER OF INMATE SPACES THROUGHOUT ITS INSTITUTIONS FOR THOSE INMATES REQUIRING PROTECTIVE CUSTODY SO THAT FEWER WILL BE TRANSFERRED TO MILLBROOK.

## RIDEAU CORRECTIONAL CENTRE

### GENERAL

The Rideau Correctional Centre (in Burritt's Rapids), a minimum-security institution, is located near Smith Falls, about 40 miles southwest of Ottawa. Its two sections opened in 1947 and 1965, and it has an official capacity of 220 male inmates.

(Although the Ministry of Correctional Services officially classifies this institution as a medium-security facility, the administration, staff and inmates at Rideau, as well as our Investigators, regard it as having most if not all the characteristics of a minimum-security inmate setting, and it is referred to in that light throughout our report on this institution.)

As of October 5, 1976, its official staff complement included 17 management and 40 correctional personnel.

Our observations of this centre began in November, 1975, and have continued to date.

The institution is sub-divided into the correctional centre, which houses 160 inmates in eight dormitories of 20 beds each, and the academic and vocational unit, which houses 60 inmates in two dormitories.

### INMATE POPULATION

April 1, 1971-----	140
April 1, 1972-----	139
April 1, 1973-----	172
April 1, 1974-----	161
October 31, 1974-----	164
April 1, 1975-----	177
October 31, 1975-----	213
January 27, 1976-----	209
March 31, 1976-----	234
October 5, 1976-----	211
January 27, 1977-----	203
July 22, 1977-----	210

With an official capacity of 220, it is apparent from the above figures that the Rideau Correctional Centre rarely experiences an overcrowding problem, but the steady increase in the inmate population indicates that, month by month, it is rapidly approaching its full capacity.

### Community Resource Centre

The Rideau Correctional Centre is served by two Community Resource Centres, both located in Ottawa.

House of Hope, a 16-bed capacity centre, is operated for the Ministry by a citizens' group. It is used primarily for inmates who have voluntarily agreed to take part in a



restitution-to-crime-victims program, which has been operating in Ottawa since 1975. This Centre is officially under the jurisdiction of the Ottawa-Carleton Detention Centre, but, with agreement between the administrators of that centre and the Rideau Correctional Centre, it is used for suitable inmates selected from both institutions.

Riverview Centre, a 16-bed capacity centre is operated for the Ministry by the Salvation Army.

#### Future Building and/or Renovation Program

The Government had approved plans for \$260,000 construction involving an inmate classroom and program building with an expected completion date in 1977-78.

In addition, the Government had approved the construction of a \$1.38 million reception wing and an \$800,000 dormitory replacement. Both these projects were grouped with others on the lowest priority level in the Ministry's Major Capital Program.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a new 290-bed correctional centre at Rideau.

According to Ministry inmate population projections, there would be a need for an additional 290 inmate beds of this type in this area by 1986.

Of the 36 Ministry facilities included in the plan, the Rideau Correctional Centre was prioritized as 12th.

In August, 1977, we were informed that the new plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Rideau Correctional Centre by 1986 would be 223.

The current capacity of the institution is 220 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (2.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of

## STAFFING

NOTE: Management = M = Superintendent  
Deputy Superintendent  
Assistant Superintendent  
C.O. 5 (Lieutenant)  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77</u> *
Official M/C Complement	14/41 (1:2.9)	15/39 (1:2.6)
Actual M/C Complement	14/40 (1:2.9)	15/39 (1:2.6)
Official Inmate Capacity	220	220
Official C - Inmate Ratio	1:5.3	1:5.6
Actual Inmate Population	213	203
Actual C - Inmate Ratio	1:5.3	1:5.2

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Rideau Correctional Centre and Adult Training Centre spent \$42,999 for staff overtime, and an additional \$124,649 for casual employees. The total additional salary expenditure for the year was \$167,648, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 14.5 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 26 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 4.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown

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[Footnote, continued from previous page]

diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")

includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

Although, according to the staffing formula in effect on January 27, 1977, there were no staff vacancies, and although according to the new staffing formula the staff should be increased by four correctional officers, it is important to note the following:

1. The Rideau Correctional Centre, with an inmate population of about 210, had 39 correctional officers on January 27, 1977, while the Burtch Correctional Centre - also a minimum-security institution with approximately the same inmate population, had 58 correctional officers on the same date;
2. Because of the wide variety of community involvement in the inmate programs offered at Rideau, including the use of two community resource centres in Ottawa, and the fact that officers must also provide escort duty when inmates are transferred by the on-location bailiff to other institutions, the Rideau Correctional Centre's staff allocation should be reviewed again to take these factors into account when new staff levels are set. (For example, during one three-month period, more than 800 man-hours of correctional officer time was devoted to escort duty outside of the Rideau Complex.) There is no doubt that the inmates at Rideau benefit (as do the residents at the two hospitals attended by the inmates) from the variety of programs outside the institution (and we do not in any way wish to give the impression that such beneficial programs should be curtailed, and think, in fact, they should be expanded when possible), but the Ministry should recognize the additional strain on the administration and correctional staff in terms of providing adequate supervision as well as sufficient security at the Centre itself.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased by 4.)



### Correctional Officer Turnover

As of January 27, 1977, the Rideau Correctional Centre and Adult Training Centre had 39 correctional officers on staff.

- 4 (10%) had less than 2 years experience.
- 15 (40%) had between 2 and 5 years experience.
- 20 (50%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Centre lost 11.7% of its correctional officers through separations and in 1976 it lost 5.8% for the same reason. On the basis of these figures, the Centre suffered an excessive staff turnover rate in 1975.

### SECURITY

#### 1. Escapes

There were 130 escapes during the five fiscal years April 1, 1971 to March 31, 1976. One hundred and twenty-three (123) inmates were recaptured. \*

The Centre is a minimum-security institution, in a rural setting, housing inmates in a dormitory setting, and having no perimeter fence. Inmates at the Centre are also allowed off the Centre's grounds to take part in a variety of community-related activities.

#### 2. Deaths

There were no deaths during the four fiscal years April 1, 1972 to March 31, 1976.

#### 3. Inmate Damage

The amount of inmate damage to the facilities at Rideau Correctional Centre is minimal.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

#### 4. Hostage-Taking Incidents

There have been no hostage-taking incidents at this institution.

#### 5. Current Security Problems

During our visits to this institution since 1975, neither the Superintendent nor correctional officers interviewed brought any major security problems to our attention.

Although there were no major security problems brought to the attention of our Investigators, staff members commented repeatedly that since 1975, the Centre has been receiving not only more inmates, but also inmates of a different type than those housed at the Centre previously. The population, they said, is more mixed in age and more likely to be composed of young offenders with more lengthy criminal records than in the past.

In addition, an increasing number of inmates are French-speaking. As of October 5, 1976, institutional authorities estimated that about 50 of the Centre's 211 inmates were French-speaking, and about six of that number spoke no English whatsoever. However, there were only two bilingual correctional officers on staff and problems sometimes arose between these inmates and the staff, often only because of basic communications difficulties.

(We view this situation with alarm, as it seems obvious to us that communication between inmates and correctional staff should not be negatively affected because of the lack of bilingual correctional officers. One of our recommendations at the end of this section will deal with this serious problem.)

The Centre, as mentioned previously, is located in a rural setting and is officially designated by the Ministry as a medium-security facility.

However, there is no perimeter fence or security, no cellular accommodation, and only four segregation cells for disruptive or protective custody inmates.

In his conversation with our Investigator, the Superintendent said that, in his view, about 20 per cent of the Centre's population should be incarcerated in a more secure setting.

These factors, while they did not pose a security threat in the specific sense used in our analysis of other institutions, constituted, in our view, a situation which could lead to difficulties given the present security facilities at Rideau.

#### SEGREGATION

On October 5, 1976, the Rideau Correctional Centre had four segregation cells and all were in use on that day. During the six month period ending October 5, 1976, 176

inmates were placed in segregation, 144 for disciplinary reasons, 27 for their own protection, and five for other reasons.

The Superintendent informed us that inmates held in segregation are checked by correctional staff every 20 minutes and that he communicated with segregated inmates daily.

He also commented that because of the changing nature of inmates being classified to the Centre, he was forced to transfer disruptive inmates or those posing a security threat to other institutions rather than discipline them at Rideau because of the small number of segregation cells there. He also said that because of the increasing number of inmates requiring protective custody, the segregation cells were often unavailable for inmates with behaviour problems.

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 14 originated from inmates at the Rideau Correctional Centre. Of that number, three concerned medical treatment, two dealt with the use of segregation, and one concerned visiting privileges. There were no complaints about dental treatment or the Centre's meals.

#### INSTITUTIONAL MORALE

In November, 1975, the staff at Rideau and Investigators from the Office of the Ombudsman described staff morale as medium. In October, 1976, the level of morale was still medium.

During the same period, November, 1975 through October, 1976, inmate morale was described by staff and inmates to be medium.

#### Conclusions

The factors which contributed to medium staff morale included:

1. The stability of the institution and the apparent lack of tension.
2. The tightening-up of discipline since November, 1975, when there was disenchantment among correctional officers about the lax discipline at the institution.
3. The fairly widespread perception that Rideau had been receiving an inordinate number of inmates who were improperly classified before being transferred to this minimum-security facility, including inmates who were security risks,



psychiatrically disturbed, and those requiring protective custody.

4. The Superintendent had been forced to take a lengthy leave of absence because of illness, thus creating a vacancy in the top administrative post. A new Superintendent was appointed to this Centre in June, 1977.

The factors which contributed to the medium inmate morale included:

1. The high emphasis placed upon community involvement and the use of the Temporary Absence Program. As of October, 1976, there were 33 inmates on recurring Temporary Absence. This included 15 inmates at the House of Hope Community Resource Centre in Ottawa, and another 18 who participated in volunteer programs at the Brockville Psychiatric Hospital and Rideau Regional Centre in Smiths Falls. In addition, more than 100 T.A.P. passes were granted to inmates during September, 1976.
2. The satisfaction expressed by many inmates at being able to serve their sentence in a minimum-security setting such as Rideau, and the opportunity the inmates had to participate in a variety of academic, social and recreational programs. The availability of training programs in the academic and vocational unit, to selected inmates of all ages, was particularly noteworthy.
3. The feeling by several inmates, including some who served on the inmate committee, that they feared being transferred from Rideau to a more secure institution such as Millbrook whenever they tried to initiate change or were suspected of breaching institutional rules. (According to Ministry officials, the inmates' fear was groundless. Eleven Rideau inmates were transferred to Millbrook during the fiscal year 1975-76 and 8 were transferred the following year.)
4. The concern expressed by some inmates that the institutional authorities used the sanction of loss of statutory remission for breach of institutional rules which inmates viewed as minor violations.

In our visits subsequent to the initial visit in November, 1975, the initial impressions of our Investigators that the institution appeared to be stable with little tension were confirmed. The morale of both staff and inmates was assessed as medium during these visits.

On October 5, 1976, the institutional count was 211. Of this number, 111 were considered by the administration to be medium-security inmates while the remaining 100 were considered to be minimum-security.

Of major concern to the Superintendent was the inadequacy of the Centre's physical plant, especially those buildings housing the medical facilities, the social services unit and the gymnasium. For example, the number of inmates allowed in the gymnasium at any one time was limited because of the condition of the floor. In addition, the gymnasium ceiling was too low to permit inmates to play such games as basketball or volleyball. Since it was also the only building where meetings could be held, and because of its poor ventilation and poor acoustics, it was quite inadequate.

Several inmates, especially those on the Inmate Committee, complained about being transferred from Rideau and being labelled behaviour problems whenever they tried to initiate change.

However, the administrators of the institution felt they had no alternative but to transfer inmates they considered to be behaviour problems to such institutions as Millbrook Correctional Centre (maximum-security) because the Rideau facility had only four segregation cells.

With the increasing number of protective custody inmates at the institution, the segregation area was constantly filled with such inmates.

While the institution, as of our October, 1976, visit, appeared to be relatively stable, there were influences which had the potential to alter that situation.

There was, for example, a fairly widespread concern on the part of the staff that Rideau was receiving an inordinate number of inmates who were virtually unscreened prior to being transferred to this minimum-security facility. As a result, the feeling of many staff members at the institution was that they were expected to cope with a number of inmates who could not safely be handled in this type of facility.

In addition, it appeared that inmate population characteristics were changing to a younger population which included a seemingly ever-increasing number of French-speaking inmates. It appeared that the institutional staff were not well-equipped to communicate adequately with French-speaking inmates.

There appeared to have been a tightening-up of discipline at Rideau Correctional Centre since November, 1975.

At that time, there was a good deal of disenchantment among correctional officers about the laxity of discipline at the institution.

Due to the minimum-security nature of the facility, the Superintendent appeared to be quite conscious of the fact that there were few resources available to him in dealing with disruptive inmates, and, as a result, an inmate complaint received by our Investigators on a fairly regular basis was the overuse of loss of statutory remission and the transferring of inmates from this institution to a more secure one as forms of punishment.

With regard to inmate programs, the academic and vocational unit at the Centre provides educational programs for selected inmates. Inmates are chosen on the basis of their suitability and motivation for the programs.

No age distinction is made, however, as was the case prior to 1974, when the present academic and vocational unit housed the Rideau Adult Training Centre and dealt only with an inmate population consisting of first offenders between the ages of 16 to 24.

The current organization of the educational program makes opportunities available to a wider cross-section of the inmate population, and age and prior criminal record do not necessarily preclude an inmate from participating.

The programs themselves are essentially practical and skill-oriented with vocational training being provided in such areas as welding, masonry, sheet-metal and carpentry.

In addition, classroom instruction is available on a fairly individualized basis covering a wide range of grade levels.

In summary, both the current course content and organization of the educational program at the Centre appeared well-suited to meet the needs of a large segment of the inmate population.

## CONCLUSIONS AND RECOMMENDATIONS

DESPITE SOME INTERNAL PROBLEMS AT RIDEAU CORRECTIONAL CENTRE, WE FEEL, AFTER OUR NUMEROUS VISITS TO THIS INSTITUTION, THAT THE ADMINISTRATORS AND LINE STAFF ARE TO BE COMMENDED FOR PLACING A HIGH PRIORITY ON INVOLVING THE INMATES IN COMMUNITY PROGRAMS, BOTH THROUGH THE TEMPORARY ABSENCE PASS PROGRAM AND THROUGH THE USE OF INMATE VOLUNTEERS AT TWO AREA HOSPITALS.

### WE RECOMMEND:

1. THAT THE MINISTRY MAKE PROVISION FOR THE REPLACEMENT OF SOME INMATE DORMITORY SPACE WITH CELLULAR ACCOMMODATION IN VIEW OF THE CHANGING NATURE OF THE INMATES BEING SENT TO RIDEAU; AND



2. THAT, THE MINISTRY CONSTRUCT MORE SEGREGATION CELLS FOR THE USE OF ADMINISTRATORS AT RIDEAU SO THAT AN ALTERNATIVE TO TRANSFERRING DISRUPTIVE INMATES WILL BE AVAILABLE; AND
3. THAT WHATEVER BUILDING AND/OR RENOVATION PROGRAMS ARE DECIDED UPON FOR THE RIDEAU CORRECTIONAL CENTRE, THE MINISTRY ASSIGN THEM A HIGH PRIORITY; AND
4. THAT THE STAFF FORMULA FOR RIDEAU BE REVIEWED IN LIGHT OF THE FACTORS MENTIONED IN OUR REPORT UNDER "CURRENT SECURITY PROBLEMS" WITH A VIEW TO INCREASING CORRECTIONAL STAFF COMPLEMENT; AND
6. THAT THE MINISTRY IMMEDIATELY ENSURE THAT THE ADMINISTRATORS OF THE RIDEAU CORRECTIONAL CENTRE BE ALLOWED TO RECRUIT MORE BILINGUAL STAFF MEMBERS FOR THEIR COMPLEMENT THAN THERE ARE CURRENTLY.

THUNDER BAY CORRECTIONAL CENTRE  
AND ADULT TRAINING CENTRE

GENERAL

The Thunder Bay Correctional and Adult Training Centre is a minimum-security institution located in Thunder Bay, about 870 miles northwest of Toronto. The Correctional Centre, housing inmates aged over 18 years of age, was re-opened in 1955 and has a capacity of 80 inmates.

The Training Centre, housing inmates aged 16-23, was opened in 1965 and has a capacity of 60 inmates.

As of October 5, 1976, the official staff complement for the entire institution included 40 management/professional/clerical and 28 correctional staff.

Our observations of this centre began in November, 1975, and have continued to date.

INMATE POPULATION

April 1, 1971-----	86
April 1, 1972-----	104
April 1, 1973-----	108
April 1, 1974-----	75
October 31, 1974-----	122
April 1, 1975-----	128
October 31, 1975-----	138
January 28, 1976-----	129
March 31, 1976-----	142
October 5, 1976-----	136
January 28, 1977-----	132
July 22, 1977-----	129

With an official capacity of 140 inmates, it is apparent that the Thunder Bay Correctional/Adult Training Centre has not experienced and is not experiencing an overcrowding problem, but the steady increase in the inmate population over the past 6 years indicates that it may soon experience such a problem.

Community Resource Centre

The Thunder Bay Correctional Centre is served by Kairos Centre, a Community Resource Centre located in Thunder Bay. It has a capacity of 16 inmates and is operated for the Ministry by a citizens' group, led by two nuns of the order of St. Joseph.

Future Building and/or Renovation Program

The Superintendent informed us in October, 1976, that the Ministry was on the verge of completing plans for a new \$2 million administration building equipped with adequate

visiting areas, a records office, a gymnasium and senior staff offices. (As of June, 1977, these plans had been approved and the construction of an additional shop building at a cost of \$224,000 was under consideration.)

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government which superceded all previous construction plans. There were no projects in that new plan concerning the Centre.

In August, 1977, we were informed that the new plan had been withdrawn for revisions.

# STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent

Assistant Superintendent

C.O. 5 (Lieutenant)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	11/26 (1:2.4)	11/28 (1:2.5)
Actual M/C Complement	11/26 (1:2.4)	11/28 (1:2.5)
Official Inmate Capacity	140	140
Official C - Inmate Ratio	1:5.4	1:5
Actual Inmate Population	138	122
Actual C - Inmate Ratio	1:5.3	1:4.4

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Thunder Bay Correctional Centre and Adult Training Centre spent \$47,570 for staff overtime, and an additional \$147,706 for casual employees. The total additional salary expenditure for the year was \$195,276, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 16.9 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 24 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 15.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing



formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that after another review of staffing needs, it had decided to increase the correctional officer complement by 3.)

### Correctional Officer Turnover

As of January 27, 1977, the Thunder Bay Correctional Centre and Adult Training Centre had 28 correctional officers on staff.

- 4 (14%) had less than 2 years experience.
- 13 (46%) had between 2 and 5 years experience.
- 11 (40%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Centre lost 10.5% of its correctional officers through separations and in 1976 it lost 25% for the same reason. On the basis of these figures, the Centre suffered an excessive staff turnover rate for both years.

### SECURITY

#### 1. Escapes

There were 48 escapes during the five fiscal years April 1, 1971 to March 31, 1976. Forty-seven inmates were recaptured. \*

#### 2. Deaths

There were no deaths during the four fiscal years April 1, 1972 to March 31, 1976. The Superintendent informed us that during the two-year period ending in mid-November, 1975, there were 2 attempted suicides by inmates.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

### 3. Inmate Damage

The Superintendent informed us that there was little or no inmate damage caused to this facility by inmates.

### 4. Hostage-Taking Incidents

The Superintendent informed us that there had not been any hostage-taking incidents at this institution.

### 5. Current Security Problems

During our visits to this institution since 1975, the Superintendent and some correctional officers brought one security problem to our attention - the need for a stand-by generator to provide power in case of emergencies. The Superintendent and Deputy Superintendent told our Investigator that the Ministry had approved the installation of such a generator, but, as of October, 1976, it had not been installed. (In June, 1977, we were informed that this project is scheduled to go to tender in September, 1977.)

The senior staff commented that because the centre is a minimum-security facility, any power failure would place institutional personnel in a poor position with regard to maintaining inmate security.

According to a Ministry inspection report, completed by an Inspector from the Inspections and Standards Branch, and based on his observations during a visit from September 17-19, 1974, there were no major security problems.

A subsequent inspection report, completed after an Inspector's visit from May 17-20, 1975, contains the same conclusions regarding security.

### SEGREGATION

On October 5, 1976, the Thunder Bay Correctional Centre and Adult Training Centre had four segregation cells, one of which was in use that day. During the six month period ending October 5, 1976, 58 inmates had been placed in segregation, all for disciplinary reasons.

The Superintendent informed us that he communicates with the segregated inmates daily.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 17 originated with inmates at this Centre. Of that number, three concerned medical treatment and one dealt with visiting privileges. There were no complaints regarding dental treatment, the use of segregation or the centre's meals.

### INSTITUTIONAL MORALE

From November, 1975, through October, 1976, both staff and Investigators from the Office of the Ombudsman have described staff morale as ranging from medium to high.

During the same period, staff, inmates and Investigators from the Office of the Ombudsman described inmate morale as high.

### Conclusions

The factors which contributed to the medium to high staff morale included:

1. The cleanliness of the institution.
2. The adequate facilities.
3. The lack of inmate overcrowding.
4. The relaxed atmosphere at the minimum-security centre.

Correctional officers, did, however, point out some concerns.

1. There had not been a consistent application of the centre's rules and regulations.
2. There was felt to be a need for an ongoing staff training and development program.
3. The Correctional Centre was, they commented, understaffed. The official complement did not include an allowance for vacations, statutory holidays, sick leave or training. As a result, the institution was forced to employ a number of inexperienced casuals.
4. There was some concern expressed by correctional officers that communication between administration and line staff could be improved.

The factors which contributed to high inmate morale included:

1. The relaxed atmosphere at the correctional centre.
2. The cleanliness of the institution.
3. The lack of inmate overcrowding.
4. The employment of many inmates in welding, woodworking, electronics, academic programs and agricultural work.
5. The provision of a number of native culture programs for the high number of Indian prisoners. For example, the Native Indian Friendship Centre sponsored Court workers who visited the



institution on a weekly basis to deal with native Indians in trouble with the law. The group also assisted in bringing the Indian culture to the native inmates in the centre.

6. With the opening of Kairos Community Resource Centre, the institution was able to expand its Temporary Absence Program.
7. The inmates felt the need for an orientation program to acquaint them with the facilities, programs, and vocational training programs offered at the centre.

During our first visit to the Centre, in November, 1975, our general impression was that the institution was rarely overcrowded, was clean and had adequate facilities. A large percentage of the inmates were gainfully employed in such programs as welding, woodworking, electronics, and academics.

The academic program, which includes both regular education courses and leisure education programs, deserves commendation in our view. The quality of the courses and the content of the material has been described as excellent both by the Centre's administrators and inmates.

Generally speaking, both inmate and staff morale was assessed as high.

After our October, 1976, visit, many of the same general impressions applied, but some problems were brought to our attention.

Both the Superintendent and Deputy Superintendent pointed out that a new administration building, equipped with visiting areas, records office, gymnasium and better office accommodations was urgently required, and plans for the new building had been approved for the most part by Ministry officials. The administration building was considered to be a fire hazard, but the Superintendent pointed out that plans to construct a new administration building were being postponed indefinitely.

The senior management of the centre also stated that a second priority was the need for the installation of a stand-by generator which would provide power in case of emergency black-outs. Because the Centre is a minimum-security institution, they said, it would be difficult to maintain inmate order. They commented that installation of the generator had been approved, but, once again, its installation had been postponed indefinitely.

It was our Investigator's impression that the Centre's medical/dental facilities were inadequate. The medical room was small and provided very little privacy for the medical staff and inmates. The room was totally unsuitable for any dental work, and as a result, all inmates in need of dental work were sent on escorted Temporary Absence Passes to Thunder Bay.

This procedure leaves the Centre short-staffed at times, but, more important, it also left the institution with very poor inmate dental coverage. The Superintendent felt that renovations to a room adjacent to the medical room had to be completed so that suitable medical and dental facilities could be made available.

Both staff and inmates at the Centre expressed some concern to our Investigators about the lack of an inmate orientation program.

The Superintendent pointed out, however, that the orientation program was excellent until his Classification Officer obtained a transfer to another institution. It was the Classification Officer's duty to take all new admissions on a tour of the institution to familiarize them with the available programs, shops, and facilities. When the Classification Officer was transferred, however, the Superintendent was not allowed to fill the vacancy. At the time of our October, 1976, visit therefore, the only orientation available to new inmates was an initial assessment provided by the institutional psychologist.

During our Investigators' visits to the institution there was some concern expressed about the large Native Indian population at the centre. Statistics revealed that about 50% of the population of the Centre was made up of Native Canadians.

The Superintendent and his assistant agreed that the Native Indians needed programs other than those offered to the general inmate population and a number of programs had been instituted to benefit the Native population. For example, the Native Indian Friendship Centre sponsored court workers who visited the institution on a weekly basis to deal with Native Indians in trouble with the law. The Outreach Program, sponsored by the Metis and Non-Status Indian Association, also provided assistance for the Native Indian inmate population. In addition, the Native Culture Group, consisting of 7 volunteers, brought the Indian culture to inmates at the centre. These, as well as wood-working and recreational programs improved conditions for Native Indians at the Centre.

Another concern expressed in November, 1975, centred around the Temporary Absence Program. The Thunder Bay Correctional Centre and Adult Training Centre is located about seven miles from the City of Thunder Bay on a highway without a regular bus route to the city.

It had been institutional practice to transfer inmates who had been approved for T.A.P. to the Thunder Bay Jail to facilitate the transportation of inmates to work.

However, the problem had been alleviated by the time of our October, 1976 visit. The opening of the Kairos Community Resource Centre solved the problem of transferring inmates to the Thunder Bay Jail. The C.R.C. accommodated 12

inmates who were usually within a few months of completing their sentence.

Both staff and inmates felt during our October, 1976 visit, that the T.A.P. program at the centre had improved dramatically. There was an on-going T.A.P. program involving groups of inmates attending St. Joseph's Hospital, Rehabilitation Unit, to help disabled people to learn to swim. Group T.A.P.'s were also being approved for Alcoholics Anonymous and Life Skills groups as well as for recreational activities.

In conversations we held with Union Representatives and correctional officers, there was some concern expressed that the institution was not functioning as smoothly and efficiently as the centre's senior management had implied.

They complained, for example, about the visiting area. On Sundays, they said, there was only one correctional officer on duty in the visiting area.

The visiting area was an open room with several tables and chairs which could accommodate up to 20 people at a time. The officers implied that it was impossible to supervise the visits closely to ensure that no contraband was passed from the visitors to the inmates and felt that security in the area should be much tighter.

In addition to this complaint, they expressed some concern about the overall security of the institution. They felt that discipline could be much more strict and complained that inmates were allowed to be lazy and unoccupied because the rules and regulations were not enforced consistently. These officers stressed that inmates were basically lazy. At one time, they pointed out, the Centre operated mainly as a farm, with several head of cattle, pigs, and other livestock. When the farm was in operation, most inmates had chores to perform, which prevented them from sitting around as the correctional officers said they did at the present time. They said that the farm should be reopened because there were not enough vocational training and educational programs to occupy the inmates.

When asked about the possibility of reopening the farm the Superintendent pointed out that the farm had been discontinued because it was too expensive to operate. The Ministry of Correctional Services as no longer willing to provide funds to keep up the operation of the farm, he said.

The inmates who were interviewed spoke favourably of the institution because of the freedom that they enjoyed and because there were sufficient programs in the institution in which they could participate. However, they complained that there were not enough activities to occupy every inmate. They felt the most useful programs included the workshops, the welding shops, and the small engine repairs and woodworking courses. They said, however, that it was unfortunate that these trades were restricted to very few inmates. The inmates felt that the only other areas which



served a useful purpose were the educational programs and the recreational facilities.

Both inmates and correctional officers said they would strongly support the introduction of an auto mechanics course and said that inmates had expressed an interest in such a program. Senior administrators said that such a program would be useful but was not considered by them to be a major priority.

#### CONCLUSIONS AND RECOMMENDATIONS

OUR VISITS TO AND OBSERVATIONS OF THIS INSTITUTION, AS WELL AS OUR INTERVIEWS WITH ADMINISTRATORS, CORRECTIONAL OFFICERS AND INMATES LED US TO CONCLUDE THAT THE THUNDER BAY CORRECTIONAL CENTRE WAS A WELL-RUN INSTITUTION, HOWEVER,

WE RECOMMEND:

1. THAT THE MINISTRY SEEK IMMEDIATE GOVERNMENT APPROVAL FOR THE CONSTRUCTION OF A NEW ADMINISTRATION BUILDING. (In June, 1977, the institutional authorities informed us that the plans for the new building were completed and approved.) AND
2. THAT THE MINISTRY SUPPLY A STAND-BY GENERATOR FOR THE CENTRE'S USE IN THE EVENT OF A POWER FAILURE. (In June, 1977, institutional authorities informed us that the generator would likely go to contract in September, 1977.) AND
3. THAT THE ROOM ADJACENT TO THE MEDICAL AREA BE RENOVATED IN ORDER TO PROVIDE ADEQUATE MEDICAL AND DENTAL CARE TO INMATES AND TO AFFORD A MEASURE OF PRIVACY TO BOTH STAFF AND INMATES IN THE AREA. (In June, 1977, institutional authorities informed us that the renovation plans were complete and that progress on them would begin shortly.) AND
4. THAT, THE MINISTRY ENSURE THAT ALL INMATES ARE GIVEN AN ADEQUATE ORIENTATION TO THE FACILITIES AT THE CENTRE. (In June, 1977, institutional authorities informed us that an orientation program was in effect.)

## BURTCH CORRECTIONAL CENTRE

### GENERAL

Burtch Correctional Centre opened in 1948 and is located about 6 miles south of Brantford, approximately 70 miles southwest of Toronto.

Its official capacity is 252 sentenced male inmates, all of whom are classified as minimum-security prisoners.

As of October 5, 1976, its official staff complement included 24 management (including professional staff) and 58 correctional personnel.

Our observations of the centre began in November, 1975, and have continued to date.

### INMATE POPULATION

April 1, 1971-----	203
April 1, 1972-----	179
April 1, 1973-----	230
April 1, 1974-----	200
October 31, 1974-----	184
April 1, 1975-----	245
October 31, 1975-----	228
November 14, 1975-----	231
January 27, 1976-----	203
March 31, 1976-----	239
October 5, 1976-----	242
January 27, 1977-----	213
July 22, 1977-----	221

The Burtch Correctional Centre is not experiencing an overcrowding problem, nor has it been since at least April 1, 1971.

### Community Resource Centre

The Burtch Correctional Centre is served by two Community Resource Centres.

Kitchener House, located in Kitchener, opened in July, 1974, can accommodate 18 inmates, and is operated for the Ministry by citizens in Kitchener.

Victoria House, in Brantford, opened in March, 1976, can accommodate 15 inmates and is operated for the Ministry by the Salvation Army.

As of January 27, 1977, 25 inmates were being housed in the centres.

### Future Building and/or Renovation Program

The Government had approved plans for the construction of a \$955,000 administration office, but in early 1977 the designs for the office were being reviewed prior to tendering.

In addition, the Government had approved the expenditure of \$122,000 for a trades shop. Both projects were scheduled to proceed in 1977-78.

Another project ready for tendering in early 1977 was a \$980,000 plan for dormitory alterations which would provide new detention cells, a new medical area, as well as a new barber shop and inmate canteen.

In mid-1977, the Ministry submitted a new long-term accommodation plan to the Government. Included in this plan was a new 120-bed adult training centre in Cambridge, near Brantford.

According to the Ministry's projections there would be a need for an additional 120 inmates beds of this type in this area by 1986.

Of the 36 Ministry facilities included in the new plan, the Cambridge Adult Training Centre was prioritized as 1st.

In August, 1977, we were informed that the plan had been withdrawn for revisions.

In September, 1977, senior Ministry officials informed us that in light of the most recent inmate population trends, they were projecting that the number of inmate beds required at the Burtch Correctional Centre by 1986 would be 261.

The current capacity of the institution is 252 inmate beds and the most recent projection is based on an annual increase in the inmate population of slightly less than 2 per cent. \*

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\* In arriving at this figure, Ministry officials took into account the following factors:

- The decline in Ontario's population growth (1.9 per cent annually in 1961; 1.7 per cent annually in 1974);
- The apparent stabilization, both nationally and provincially, in the crime rate;
- The decline in the Ontario population of that segment of the population referred to as the "risk group" (ages 15-29);
- The probability that participation in criminal acts, by age groups, will remain similar to past participation.

Ministry officials pointed out to us, however, that the base figure of slightly less than a 2 per cent annual increase could be lower if more use was made in the future of diversion programs to stream offenders out of the court and prison system. Alternatively, the base figure could be higher if it were to be affected by current and short-term national and provincial economic conditions, changes to the Criminal Code and other factors, the impact of which cannot be measured at this time. (See Chapter Four - "Overcrowding")



The Ministry no longer plans to construct the formerly proposed 120-bed adult training centre in Cambridge, near Brantford.

#### STAFFING

NOTE: Management = M = Superintendent  
Deputy Superintendent  
Assistant Superintendent  
C.O. 5 (Lieutenant)  
C.O. 4 (Sergeant)  
Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	13/60 (1:4.6)	16/58 (1:3.6)
Actual M/C Complement	13/60 (1:4.6)	16/58 (1:3.6)
Official Inmate Capacity	252	252
Official C - Inmate Ratio	1:4.2	1:4.5
Actual Inmate Population	228	213
Actual C - Inmate Ratio	1:3.8	1:3.7

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Burtch Correctional Centre spent \$80,215 for staff overtime, and an additional \$287,233 for casual employees. The total additional salary expenditure for the year was \$367,448, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 31.8 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 31 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 7.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the

Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased by 1.)

#### Correctional Officer Turnover

As of January 27, 1977, the Burtch Correctional Centre had 58 correctional officers on staff.

- 7 (12%) had less than 2 years experience.
- 39 (67%) had between 2 and 5 years experience.
- 12 (21%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Centre lost 14% of its correctional officers through separations and in 1976 it lost 2.9% for the same reason. On the basis of these figures, the Centre suffered an excessive staff turnover rate in 1975.

#### SECURITY

##### 1. Escapes

There were 88 escapes during the five fiscal years April 1, 1971 to March 31, 1976. \*

The Burtch Correctional Centre is located on a former Second World War Air Force Base, and, as a minimum-security setting, has no perimeter fence surrounding its 1,300 acres or the five cottages used to house inmates.

The Superintendent informed us that in light of recent escapes, security procedures used when moving inmates on the grounds have been tightened.

##### 2. Inmate Deaths/Damage

There were no deaths during the four fiscal years April 1, 1972 to March 31, 1976.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

The Superintendent informed us that there is virtually no damage inflicted on the institutional facilities by inmates.

### 3. Hostage-Taking Incidents

According to the Superintendent, there have been no hostage-taking incidents at the centre.

### 4. Current Security Problems

During our visits to this centre since 1975, and conversations with the Superintendent and correctional officers, no major security problems were brought to our attention. Contraband, for example, is not a major problem because inmates are searched after every visit and the living units are searched thoroughly twice a month.

### SEGREGATION

The Burtch Correctional Centre had six segregation cells on October 5, 1976, four of which were in use on that date. During the six month period ending October 5, 1976, 133 inmates had been segregated, 102 for disciplinary problems and 31 voluntarily for their own protection.

The Superintendent informed us that inmates in segregation cells are checked by correctional staff every 20 minutes.

He commented to our Investigators that segregation is used only when absolutely necessary for a severe inmate misconduct, such as fighting, drug use, being under the influence of alcohol or abusing a correctional officer.

Inmates guilty of such offences are always sentenced to indefinite close confinement, and their usual length of stay is two to three days.

With respect to inmates requiring segregation for protective custody reasons, the Superintendent said his approach is not to confine an inmate for lengthy periods of time for that reason. Instead, he attempts to have the inmate transferred to a more suitable institution as quickly as possible.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman 10 originated from inmates at the Burtch Correctional Centre. Of that number, four concerned the Centre's meals, and one related to visiting privileges. There were no complaints about medical or dental treatment or about the use of segregation.

### INSTITUTIONAL MORALE

From November, 1975, through October, 1976, the staff at the Centre and Investigators from the Office of the Ombudsman described the staff morale as very high.



From November, 1975, through October, 1976, the staff, inmates, and Investigators from the Office of the Ombudsman assessed the inmate morale to be very high as well.

### Conclusions

The factors which contributed to the high staff morale included:

1. The strong leadership provided by the Superintendent. He was a competent individual who was accessible to both staff and inmates, provided strong leadership and exemplified concern for the institution and for inmate programs.
2. The good rapport and communication between the administration and the line staff.
3. The wide variety of programs that met the interests of most inmates.
4. The high level of staff involvement in the institution's operation.
5. The Centre had two Community Resource Centres which provided the institution with settings for its Temporary Absence Program.
6. The Cottage Unit System designed by the Superintendent. Instead of moving each week to a different location, staff were assigned to one of the five units regularly. This afforded staff the opportunity to become familiar with the inmates of that particular unit and allowed them to become involved in decisions that affected the institutional lives of inmates they came to know more fully.

Some of the factors which contributed to high inmate morale between November, 1975 and October, 1976 included:

1. The classification of the Centre as a minimum-security facility which usually received selected inmates from within the provincial system.
2. The rapport between most staff and inmates - developed through the cottage unit system - was excellent and contributed to a high level of staff-inmate trust.
3. The existence of a well-functioning inmate committee which meets with senior

staff officials resolved many concerns before they became more serious.

4. The wide variety of recreational, social, educational and work programs to occupy most of the inmates, which are detailed below.
5. The perception by inmates that Burtch was one of the best institutions in the Province in which to serve a prison sentence.

The impression formed by our Investigators during the November, 1975, survey was that of a well-managed institution that was not experiencing any serious problems. Its official capacity was 252. At the time of our first visit, the inmate count totalled 231 sentenced inmates.

The inmate count on October 5, 1976, was 242 inmates. The administration informed our Investigators that Burtch is never overcrowded. This fact alone has allowed the administration and staff to provide a variety of programs for the inmates at Burtch.

Burtch was described as a model institution by our Investigators. Morale, as stated above, was extremely high among staff and inmates.

Several additional reasons for the high staff morale are as follows:

The quality of the senior staff - their cohesiveness, accessibility and flexibility contributed significantly to the excellent rapport and communication through to the line staff. In addition, staff were evaluated once a year and their evaluation was discussed with them. Once a month, all lieutenants and sergeants met with the Deputy Superintendent, Assistant and Special Assistant to the Superintendent to discuss and suggest improvements to existing programs.

Another contributing factor was the staff volunteer recreation program. In this program, members of the staff volunteered to play on various sports teams such as hockey and baseball, with the inmates. Games are arranged not only within the institution but also with various community groups in the Brantford area. In addition, staff members volunteered their non-working time to escort inmates into the city for swimming, bowling, and roller-skating activities.

Both our Investigators and senior staff feel that this type of correctional staff and inmate interaction is to be highly commended because it not only helps to break down the preconceived images each group may have of the other, but, we feel, is a positive aid in maintaining institutional morale at a level which can benefit inmate rehabilitation.

The main reasons given for the high inmate morale were the scope of programs in which an inmate could participate -

recreational, educational, trades, work programs and social skills. Each inmate had to be involved in some type of program or combination of programs.

Softball, hockey, roller-skating, bowling, swimming, volleyball, weightlifting and ball hockey were also available and movies were shown twice per week.

Of 242 inmates at the Centre at the time of our visit in October, 1976, 102 inmates were involved in either the educational or trades program.

Since the arrival of the present Superintendent, in February, 1974, the educational program has been expanded to allow all inmates to participate in the programs. The principal of the school, assisted by three teachers, tailored courses and programs to inmate interests, goals and capabilities. The types of trade programs offered included small motors, machine shop, engineering, painting, decorating and quantity baking.

In addition, approximately 60% of all inmates worked within or outside the institution. Areas worked in were: cleaning (30 inmates); grounds maintenance (25); laundry (14); dining hall cleaners (8); cannery (25); kitchen (25); power house (8); painting (5); carpentry (5); sports/recreation (3); and hospital (2).

As well, two inmate volunteers worked at the Brantford Hospital with physically and emotionally handicapped individuals.

Some social skills programs which were provided and run by volunteers from the community were: Alcoholics Anonymous, the Seven Steps, and Alienated Youth. The Seven Steps, designed for inmates and run entirely by ex-inmates, originated 12 years ago by an ex-inmate in the United States. The Program encourages and assists inmates to re-shape their thinking and re-build their attitudes and lives so that they may function responsibly in society upon release. Through Alienated Youth, volunteers offer companionship to interested inmates which is then continued when the inmate leaves the institution. In addition to the above three programs, a Human Development Course was provided by the institution's social worker and a Bible Study Group met at the request of inmates. As a result of these and the above-mentioned programs provided both day and evening, boredom was not considered to be a problem at this institution.

Although correctional officers also felt their morale had remained quite high and although they perceived management as both approachable and co-operative, there was some tension concerning the staff volunteer program. The problem was an internal one and did not involve management.

Briefly, there was a feeling among some staff members that those who were volunteering would get preferential treatment by management. The question of whether or not they were medically covered while volunteering was also a



problem, and, finally, there was some concern that inmates would apply pressure on those who did not volunteer. Tension over the issue appeared to have eased by the time of our October, 1976, visit.

As an indication of the lack of tension among the staff members, one correctional officer said that Burtch was "the top institution in Ontario" and another said that in comparison to Guelph Correctional Centre, "Burtch is great."

One problem that existed and that affected everyone at the institution concerned the need to replace the antiquated duty office.

The duty office was a remnant of the Second World War air force base which was formerly located on the Burtch site. It was a rambling factory-style building, which was old and inadequate.

The duty office contained the dispensary, the medical office, the infirmary, the dental office, one interview room, a visiting room, the segregation cells and facilities for the inmates in those cells, the hobbycraft room and some administrative offices. Some of these offices, such as the dentist's office and the infirmary, were described by our Investigators as cramped and inadequate.

Our subsequent visits to this centre reinforced the initial impressions gained by our Investigators.

We were pleased to learn that the Capital Expenditure Program approved by the Ministry of Correctional Services will soon provide new facilities which will eliminate these problems.

An additional physical change which, according to our Investigator, should be seriously considered by the Ministry of Correctional Services and which was a top priority expressed by the Superintendent of this institution concerned the pavement of the road leading to and within the institutional complex.

Because the road currently in use consists of loose gravel on an ordinary dirt bed, it is the cause of additional janitorial problems within the institution because, in wet weather, it turns into a virtual sea of mud.

Our Investigators found it to be highly significant that the inmate committee was not the subject of criticism by correctional officers. The committee normally meets with the Superintendent monthly, but as our Investigator commented after a visit in October, 1976, "As an indication of the lack of problems (in the institution), the last meeting was cancelled."

## CONCLUSIONS AND RECOMMENDATIONS

OUR VISITS TO THIS INSTITUTION AND CONVERSATIONS WITH ADMINISTRATORS, STAFF, INDIVIDUAL INMATES AND MEMBERS OF THE INMATE COMMITTEE HAVE LED US TO THE CONCLUSION THAT THE BURTCH CORRECTIONAL CENTRE IS AN EXCEPTIONALLY WELL-RUN MINIMUM-SECURITY CORRECTIONAL INSTITUTION.

### WE RECOMMEND:

1. THAT THE MINISTRY REVISE AND SEEK GOVERNMENT APPROVAL AS QUICKLY AS POSSIBLE FOR ITS RENOVATION PLANS FOR BURTCH. (In December, 1977, we were informed by the Ministry that renovations to cottage basements were underway.) AND
2. THAT THE MINISTRY AUTHORIZE THE PAVING OF THE ROAD LEADING INTO, AND THE ROADS WITHIN, THE BURTCH CORRECTIONAL CENTRE COMPLEX. (In December, 1977, we were informed by the Ministry that the paving was underway.)

## MIMICO CORRECTIONAL CENTRE

### GENERAL

Mimico Correctional Centre, located in West Metro Toronto, was opened in 1913. It began as a correctional centre, was to be demolished, was designated as a detention centre, and was, in 1976, again classified as a correctional centre. It currently has a capacity of 331 medium-security male inmates (including a 35-cell remand unit used for inmate overflow from the Brampton and Toronto Jails) who are serving either sentences of up to 9 months, intermittent sentences, or on Temporary Absence Programs.

As of July, 1976, its official staff complement included 4 management and 65 correctional personnel.

Our observations of this centre began in November, 1975, and have continued to date.

### INMATE POPULATION

April 1, 1971-----	362
April 1, 1972-----	397
April 1, 1973-----	356
April 1, 1974-----	282
October 31, 1974-----	269
April 1, 1975-----	266
October 31, 1975-----	183
January 27, 1976-----	197
March 31, 1976-----	283
January 27, 1977-----	185 *
July 22, 1977-----	210
(Official capacity-----)	331)

\* Plus 201 intermittents and  
29 Brampton remands, for a  
total of 415 inmates.

Although the normal Monday to Friday inmate count does not lead to overcrowding, the influx of about 200 intermittent inmates each weekend causes severe overcrowding problems.

### Community Resource Centre

The Mimico Correctional Centre is served by the 16-bed Sherbourne House, a Community Resource Centre in Toronto. It is operated for the Ministry by the Salvation Army.

### Future Building and/or Renovation Program

The Government had approved plans for dormitory alterations at an estimated cost of \$1.795 million. This project, along with several others, was grouped at the highest priority level in the Ministry's Major Capital Program.



In August, 1977, we were informed that the Ministry had submitted a new long-term accommodation plan to the Government but it was subsequently withdrawn for revisions.

The Ministry still plans, however, to build a 500-bed (400 male, 100 female) detention centre on the Mimico site at a cost of about \$35 million. The expected opening date is late 1982 or early 1983.

#### STAFFING

NOTE: Management = M = Superintendent  
 Deputy Superintendent  
 Assistant Superintendent  
 Senior Assistant Superintendent  
 C.O. 4 (Sergeant)  
 Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	9/39 (1:4.3)	10/73 (1:7.3)
Actual M/C Complement	9/39 (1:4.3)	10/64 (1:6.4)
Official Inmate Capacity	288	331
Official C - Inmate Ratio	1:7	1:4.5
Actual Inmate Population	183	185
Actual C - Inmate Ratio	1:4.6	1:3

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were 9 C.O.2 vacancies. (As of March, 1977, the centre was also short 3 Assistant Superintendents - one through retirement and 2 through promotion, but by June, 1977, we were informed by the Ministry that all references to vacancies should be deleted.)

From April 1, 1975 to March 31, 1976, the Mimico Correctional Centre spent \$189,514 for staff overtime, and an additional \$240,102 for casual employees. The total additional salary expenditure for the year was \$429,616, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 37.1 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 47 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 11.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased by 11.)

### Correctional Officer Turnover

As of January 27, 1977, the Mimico Correctional Centre had 64 correctional officers on staff.

- 24 (37%) had less than 2 years experience.
- 22 (34%) had between 2 and 5 years experience.
- 18 (29%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

A large part of the reason for the high percentage of relatively new staff is the fact that many Mimico Correctional Officers were transferred to the Maplehurst Complex near Milton upon its opening in 1975.

In 1975, the Centre lost 11 per cent of its correctional officers through separations and in 1976 it lost 10% for the same reason. On the basis of these figures, the Centre was suffering from an excessive staff turnover rate in 1975.

### SECURITY

#### 1. Escapes

There were 140 escapes during the five fiscal years April 1, 1971 to March 31, 1976. One hundred and eighteen (118) inmates were recaptured. \*

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

The physical layout of the correctional centre, in our Investigator's view, is conducive to escapes. The centre occupies a large land area, is partly enclosed by a fence (over which inmates could easily escape), and has an opening from the grounds to the street near the administration building.

The inmates, most of whom are serving short sentences, intermittent (weekend) sentences, or on Temporary Absence Programs, are not housed in buildings with cells and barred windows, but, instead, are kept in four dormitories.

## 2. Deaths

Two deaths occurred during the four fiscal years April 1, 1972 to March 31, 1976. One inmate was the victim of a heart attack and another committed suicide. The Superintendent informed us that during the two-year period ending in mid-November, 1975, 5 inmates attempted suicide.

## 3. Inmate Damage

The Centre's officials informed us that there is little or no inmate damage caused to this facility.

## 4. Hostage-Taking Incidents

The Centre's officials told us there have been no hostage-taking incidents at this institution.

## 5. Current Security Problems

During our visits to this institution since 1975, neither the Superintendent nor correctional officers interviewed brought any major security problems to our attention.

Our review of a Ministry inspections branch report dated June 29, 1976, showed that the Inspector assessed internal security to be good, but external security was poor. The Inspector commented that the latter condition would be improved when "the fence surrounding the four dormitories is completed." (According to the Superintendent's comments on the report, dated July 27, 1976, "The installation of the fence surrounding the four dormitory buildings is complete.")

## SEGREGATION

As of October 5, 1976, the centre had four segregation cells, and the Assistant Superintendent told our Investigator that, at times, more were needed.

The four cells were all in use on that date. During the six-month period from April to September, 1976, 191 inmates were segregated.

The Superintendent told us that inmates are placed in segregation for punishment, to await an institutional hearing



on a misconduct charge, if they are assessed as suicidal, or if they are awaiting transfer to a psychiatric institution.

The Centre also has an eight-bed dormitory unit for inmates requiring protective custody - most of whom are placed in the unit at their own request.

The inmates in segregation are checked by correctional staff every 20 minutes and the Superintendent or another senior staff member visits segregated inmates at least once a day.

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 21 originated from inmates at the Mimico Correctional Centre. Of that number three concerned medical treatment, two dealt with the use of segregation, and one each concerned dental treatment and visiting privileges. There were no complaints about the centre's meals.

#### INSTITUTIONAL MORALE

In November, 1975, staff, inmates, and Investigators from the Office of the Ombudsman described both staff and inmate morale as high.

In October, 1976, staff and inmates said staff and inmate morale was fluctuating between medium and high.

#### Conclusions

The factors which contributed to the high staff morale in November, 1975, included:

1. The absence of inmate overcrowding.
2. The general respect and appreciation for the Superintendent's management of the institution.
3. The classification of Mimico as a minimum-security facility for short-term offenders who, in all probability, would not jeopardize their impending release date with disruptive behaviour.
4. The designation of Mimico as a centre to handle intermittent inmates, remand prisoners and short-term offenders when the Maplehurst Complex opened in 1975. The change in role necessitated physical changes at Mimico which kept both staff and inmates busy.

By October, 1976, staff morale had dampened slightly for the following reasons:

1. The staff felt that the institution was severely understaffed and therefore required the administration to employ

casuals on a weekly basis. In addition there were high expenditures for staff overtime.

2. Two Sergeants had been on sick leave for four months with a resulting gap in the middle management ranks. (As of June, 1977, these personnel had been replaced.)
3. Mimico was becoming overcrowded on weekends with an increasing number of intermittent prisoners. On some weekends, the institutional count reached over 450, when, in fact, the official capacity is officially 331. The institution had been forced to use bunk beds.

The factors which contributed to the medium to high inmate morale from November, 1975, through October, 1976, included:

1. The use of inmate labour to complete the necessary physical changes to convert Mimico to a centre which would house intermittent, remand and short-term prisoners.
2. The respect and appreciation for the Superintendent's management of the institution.
3. The administration's efforts to employ suitable inmates in the community.
4. The renovations which were undertaken to improve the conditions in the institution. For example, suitable recreational facilities, sleeping accommodations, visiting areas, kitchen facilities and a dining room area were completed.
5. The administration's excellent use of the Temporary Absence Program and its community resource centre.

For several years, Mimico served as a medium-security facility housing sentenced inmates serving short periods. In order to ease inmate overcrowding in the correctional system, Maplehurst Correctional Centre was constructed and opened in the fall of 1975.

At the time of our initial visit to Mimico in November, 1975, 205 inmates were being accommodated at this facility, which had an official capacity of 288. Overcrowding was not a problem at that time.

With the completion of Maplehurst, a large portion of the recreational equipment and a large number of the original staff from Mimico were reallocated to that facility.

At that point, Mimico was experiencing some transitional problems. It had become designated as a centre to handle both intermittent sentences and short-term offenders, serving up to six months. In addition, one portion of the

institution was set aside to house the overflow of remand inmates from Brampton and Toronto Jails.

(In June, 1977, the Ministry informed us that Mimico houses inmates serving sentences up to two years less one day.)

In completing the necessary physical changes for the change-over, the administration used a large number of Mimico inmates. As a result of subsequent visits, our Investigators noted the completion of the physical renovations needed for the change-over and that the inmates were kept busy during that time. The morale of the staff and inmates was assessed as high.

Part of the reason for this appeared to be the general respect and appreciation felt for the Superintendent by both staff and inmates, and also the fact that this was a minimum-security facility for short-term offenders who, in all probability, would not jeopardize their impending release dates through engaging in disruptive behaviour.

In October, 1976, our investigative team described Mimico as a well-managed institution in no danger of possible violence or riots. Our team was further impressed that Mimico would successfully fulfill its planned additional responsibilities.

The centre consisted of an administration building and four separate residences to serve as work locations and dormitories for the inmates.

Building Number One served as a remand centre housing 34 inmates. Activities for these inmates were confined to that building. That is to say, all visits, recreational activities, interviews, and other functions occurred in the remand centre in order to control inmate movement.

Building Number Two housed those inmates working in the kitchen and those on the Temporary Absence Pass program (TAP).

Building Number Three was for all inmates employed in the vocational areas, stores, laundry, and inmate canteen. (The populations of Buildings Numbers Two and Three consisted of sentenced inmates.)

Building Number Four housed only inmates serving intermittent sentences.

Adjacent to the administration building and the four residences was a large outdoor recreational area which allowed for volleyball, baseball, soccer, and other outdoor activities.

The new lay-out had been largely completed and appeared to be operating well. The movement of inmates was controlled, suitable recreational facilities and sleeping accommodations had been provided, and equally important was the fact that most of the inmates appeared quite satisfied with the arrangement.



Inmate labour was used to complete many of the renovations including the new visiting facility, the new kitchen, the new dining rooms for both staff and inmates, the new admitting and discharge centre, the new staff lounge, the indoor recreation area, and the remand unit. This certainly alleviated inmate boredom and improved institutional morale generally. The use of inmate labour at Mimico was, in our view, an excellent example of making use of all resources to complete necessary tasks. According to Ministry officials, this procedure drastically reduced labour costs that would have been incurred if an outside construction company had completed the renovations.

There are two doctors who visit Mimico six days a week. However, they have requested a modern medical examination table because the present table is simply inadequate. (In June, 1977, the Ministry informed us that a new table was in place and in use.)

#### RECOMMENDATIONS

##### WE RECOMMEND:

1. THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO PROVIDE THE NECESSARY FUNDS FOR THE ALREADY-APPROVED ALTERATIONS TO THE CENTRE'S DORMITORY AREAS. (In June, 1977, we were informed that the funds had been approved.)  
AND
2. THAT THE SUPERINTENDENT, IN CO-OPERATION WITH SENIOR MINISTRY OFFICIALS, CONTACT JUDGES, CROWN ATTORNEYS AND MEMBERS OF THE DEFENCE BAR IN THE APPROPRIATE AREAS IN AN EFFORT TO REDUCE THE NUMBER OF INTERMITTENT INMATES BEING SENT TO THE MIMICO CORRECTIONAL CENTRE. (In June, 1977, the Ministry informed us that representations were made to the Judges, Crown Attorneys and others in the appropriate area to meet together with the Superintendent and senior Ministry officials in an effort to reduce the number of intermittent-sentenced inmates being sent to the Centre. As of June, 1977, no response had been received. The newly-appointed Superintendent was to follow-up on the previous Superintendent's initiative.)

## ONTARIO CORRECTIONAL INSTITUTE

### GENERAL

The Ontario Correctional Institute, located about 10 miles northwest of Toronto, near Brampton, was opened in 1974 as an active-treatment institution for male offenders. Its official capacity is 198 inmates -- 48 in the assessment unit and 150 in the treatment unit.

Its official staff complement as of October 5, 1976, included 31 management and 72 correctional personnel.

Our observations of this institution began in November, 1975, and have continued to date.

### INMATE POPULATION

October 31, 1974-----	125
April 1, 1975-----	143
October 31, 1975-----	132
January 27, 1976-----	148
March 31, 1976-----	153
October 5, 1976-----	158
January 27, 1977-----	168
July 22, 1977-----	151

With an official capacity of 198 inmates, it is apparent that the institution has not experienced, and is not experiencing an overcrowding problem.

### Community Resource Centre

The Ontario Correctional Institute is not served by a Community Resource Centre and the Ministry has no plans to establish one in the near future.

### Future Building and/or Renovation Program

The Ministry has no construction or renovation plans for the Ontario Correctional Institute.

### STAFFING

NOTE:        Management = M = Superintendent  
                                Deputy Superintendent  
                                Assistant Superintendent  
                                C.O. 5 (Lieutenant)  
                                C.O. 4 (Sergeant)  
                Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	23/76(1:3.3)	21/75(1:3.6)
Actual M/C Complement	23/71(1:3.1)	21/75(1:3.6)
Official Inmate Capacity	198	198
Official C - Inmate Ratio	1:2.6	1:2.6
Actual Inmate Population	132	168
Actual C - Inmate Ratio	1:1.9	1:2.2

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Ontario Correctional Institute spent \$62,787 for staff overtime, and an additional \$193,646 for casual employees. The total additional salary expenditure for the year was \$256,433, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 22.2 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 49 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 18.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that the correctional officer complement would be increased by 2. The Superintendent had decided not to transfer funds for casual staff and overtime costs to complement positions.)

#### Correctional Officer Turnover

As of January 27, 1977, the Ontario Correctional Institute had 75 correctional officers on staff.

30 (40%) had less than 2 years experience.

44 (58.5%) had between 2 and 5 years experience.

1 (1.5%) had more than 5 years experience.



According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the institute lost 23.5% of its correctional officer staff through separations and in 1976 it lost 30.8% for the same reason. On the basis of these figures, the institute suffered an excessive staff turnover rate in both years.

## SECURITY

### 1. Escapes

From its opening in 1974 to March 31, 1976, there were 8 escapes. Seven inmates were recaptured. \*

### 2. Deaths

There were no deaths from its opening in 1974 to March 31, 1976.

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there were two attempted suicides by inmates.

### 3. Inmate Damage

The Superintendent informed us that there was little inmate damage caused to this facility.

### 4. Hostage-Taking Incidents

The Superintendent informed us that there have been no hostage-taking incidents at this institution.

### 5. Current Security Problems

During our visits to this institution since 1975, neither the Superintendent, professional staff, nor correctional officers brought any major security problems to our attention. Inmate contraband was considered a minor problem.

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.

### SEGREGATION

As of October 5, 1976, the Ontario Correctional Institute had five segregation cells, and two were in use that day. During the 12-month period ending December 31, 1976, 124 inmates had been placed in segregation, 120 for disciplinary reasons, and four voluntarily for their own protection. The Superintendent informed us that inmates in segregation are checked every 20 minutes and that use of the cells is minimal.

### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, 16 originated from inmates at the Ontario Correctional Institute. Of that number, four concerned medical treatment. There were no complaints about dental treatment, visiting privileges, meals or the use of segregation.

We have included excerpts from the following letter received at our office to provide readers of this report with an idea of the type of complaints which we receive from inmates in Provincial institutions.

Among the letters from inmates, was one from a member of an inmate committee unit which said, in part,

"This letter is from a person in one of our Ontario jails. I realize that this fact alone will close the minds of some people, but I'm not talking to them...

"The recent Government cutback in staff have really shot holes in our treatment program...

"The inmates here are the result of a very careful classification process so that only those who are receptive to a treatment program are here. In other words, we are the ones the prison administration feel have a chance if we recieve some help...

"But, and this is a very big but, with recent staff cutbacks the staff here simply can't impliment the treatment program. The institution and the guards are being cornered into another holding centre where they simply throw us in, make sure we don't hurt each other and give us whatever time they can scrape up to help us deal with our problems.

"I think that the Government cut backs in this institution don't even click economically. The 10 correctional officers which the government won't hire

will cost the tax-payers between 110-114 thousand dollars a year.

"If these 'extra' 10 officers can help only 10 inmates not to come back they will have paid their salaries for that year and probably saved the tax-payers 12 to 14 thousand for the better part of each year left in the inmates lives.

"I leave it to you, the public, to decide. Confinement is economically draining - rehabilitation is not! Please give us the chance we want!" (Our Investigators spoke with this inmate and others during our initial survey of institutions in November, 1975, and his concerns, along with those of other inmates, have been included in this report.)

#### INSTITUTIONAL MORALE

During the period November, 1975 through October, 1976, the staff morale was assessed as high by both staff and Investigators from the Office of the Ombudsman.

During the same period, staff, inmates and Investigators from the Office of the Ombudsman assessed inmate morale as high.

#### Conclusions

The factors which contributed to the high staff morale in both the Assessment and Treatment Units included:

1. Excellent staff working conditions in both units.
2. The modern facilities.
3. The excellent communication between correctional officers and professional staff and between administrators and staff.
4. The lack of overcrowding.
5. The excellent communication between staff and inmates.
6. The lack of a perception of staffing problems.

The factors which contributed to the high inmate morale included:

1. The excellent living conditions.
2. The good communication between staff and inmates.
3. The excellent facilities and recreational programs.



4. The opportunity to deal with personal problems with the help of trained professionals on a long-term basis.
5. The inmates preferred to serve their sentences in a modern facility such as O.C.I. instead of being incarcerated in a jail or correctional centre.

The O.C.I. complex is divided into two main units, the assessment unit and the treatment unit.

The official capacity of the assessment unit is 48 inmates. The main function is to provide in-depth assessment of all first offenders between the ages of 16 and 24, who are serving a sentence of 9 months or more. There are three main factors which appear to facilitate the effectiveness of the on-going assessments.

First, during our initial visit in November, 1975, the inmate count was 48. In June, 1976, the inmate count totalled 49. Over the past six months (to October, 1976), the assessment unit operated at almost maximum capacity, i.e. 48 inmates. In conjunction with these inmate population figures, there was an assessment staff complement of 29. Thus, the inmate-staff ratio remained almost constant at about 1.5 inmates per staff member.

Second, more than half the staff were categorized as clinical resource staff, who were competent in conducting assessments. This group was composed of psychologists, psychometrists, social workers, etc.

Third, the assessment unit's facilities were excellent for the unit's purpose. The facilities are new, sleeping and recreational accommodations are more than adequate, and the testing rooms are spacious.

It was the opinion of the offenders we interviewed that the staff showed a great deal of concern and professionalism in trying to determine the nature of their problems and the institution that might best serve their needs.

In summary, we felt the potential for adequate inmate assessment existed with the superior facilities and professional staff complement allotted to the assessment unit. It may be advisable however, to undertake a more in-depth investigation at some future date to determine the effectiveness of the assessment techniques used to screen inmates to different institutions.

The official capacity of the treatment unit is 150 inmates. During our November, 1975 survey, the inmate population was 105. As of October, 1976, the total inmate count was 110. It was noted that over the year (November, 1975 to October, 1976), the inmate population in the treatment unit fluctuated between 100 and 115 inmates and therefore, the treatment unit operated under capacity.

The two main functions of this facility were to provide both short and long-term treatment. The short-term treatment

of roughly 40-90 days was to prepare residents for their release to the community. Chemical abuse and sexual disorders are the main criteria for admission to the long-term treatment program. With the unit set-up, the inmate-staff ratio was approximately 2:1. The treatment unit was supported by excellent facilities, such as large conference rooms with televisions and audio-visual equipment, an open dining room setting, and a large gymnasium equipped with numerous sports and recreational facilities. This combination of excellent facilities and small inmate-staff ratio provided an excellent milieu for inmate treatment.

The five treatment units consisted of the following:

#### Unit 1 - Short-term Treatment Program

The primary goal of this program was to prepare residents for their release to the community. They were admitted for a treatment period of 40 to 90 days prior to their discharge. The focus of this unit was on self-awareness and responsibility. There was an open age range between 16 and 40, and the inmates interacted in intensive small groups.

The program stressed a group approach with continuing communication between staff and residents through formal and informal contacts. This approach was supposed to provide trust, consistency and an opportunity for meaningful behavioural confrontation.

The program was flexible so that modifications could be made immediately should assessment show the need for a change of approach to an individual, to a group, or even to an entire unit. Residents were encouraged to use the resources to be found in their current community, whether it be a formal therapy situation or a session in leisure time activity.

#### Unit 2 - Assessment and Referral

This unit provided for assessment and referral for residents from other institutions if they had not already been assessed in O.C.I. This section was used to assess a person further, involved inmates in the unit they would be in by a gradual phasing-in, and orientated and adjusted residents for about three weeks.

In addition, inmates were placed here under The Liquor Control Act for a 90 day-indeterminate sentence under Bill 9. However, this caused some on-going difficulties associated with the two groups of residents. These referrals had traditionally been placed in this program due to the 90-day sentences, not due to their needs.

#### Unit 3 - Long-Term Group Treatment Program

This was an amalgamation of two former long-term treatment programs for inmates with chemical abuse and sexual

disorder problems. The change toward integration reflected a consensus that people living together should be treated together as much as possible. The intent was to gradually admit a general sample of offenders who exhibited established behavioural problems, and who requested help. There was always a high number of applications for this unit and therefore the unit was always operating at capacity.

Even though there are more sexual offenders and pedofiles in this unit, there seems, according to the Superintendent, to be no trouble with other offenders. People residing in this unit remained for two years less a day or 18 months but almost always spent at least a year. A variety of treatment modalities were employed with emphasis directed toward group counselling.

The program was intended to reflect the theme of providing socialization experiences at a level wherein the resident could learn to relate to others in a relatively trusting, reflective and effective manner. The treatment program was also intended to reflect the multi-disciplinary composition of the treatment team.

The program revolved around four major structures - resident meetings, peer assessments, case management and resource services. The programs within Unit 3 were group oriented and the residents assumed as much responsibility as they were able.

#### Unit 4 - Contract Development

This unit was based on a contract and a four-stage plan program. The residents were 16 to 25 years old. In Stage 1, six residents would be oriented to the aims of the Institute, the Ministry and the unit. They would be exposed to all that O.C.I. could offer and would participate in a staff-directed program in which the concrete goal would be for the resident to establish a realistic contract for his program. This was the orientation phase.

Once the contract was established, the resident moved to the next stage, which was geared towards enabling the resident to develop some insight into his problem area. This second stage had a capacity for 12 residents and was primarily staff-directed, aimed at assisting the resident to function in a less structured environment and to be able to make decisions accordingly. Having then reached a stage where he was able to do some basic planning about himself, the resident entered the next stage where only part of his program would be structured.

The rest of his program would be determined by himself and would be based on his contract. The goal of this stage was to encourage and stimulate creative thinking and planning as well as problem-solving and decision-making.

The final stage of the program concerned the principles of autonomy, independence, communication and reality. The



resident was expected to run his life, make decisions to provide for himself and set up his own treatment program based on what he had learned in the other stages, what he had planned for and what he was planning for. He utilized the facilities of the institution in order to achieve the contract that was initially made. By then, he should have been ready to utilize community facilities through T.A.P., and he would plan, in consultation with the unit, the details of his release.

#### Unit 5 - Progressive Experience Program (P.E.P.)

The goal of this program was to return residents to the community better equipped to deal with daily living stresses and therefore less likely to return to criminal behaviour. This was accomplished by exposure to and involvement in a variety of social-vocational experiences purposely structured to teach residents more effective ways of constructively utilizing the opportunities available to them once they were back on the street.

A token economy principle was mainly utilized. The problems of the residents in this unit usually included a poor work history. Residents in this program started from the unit base and applied for positions within O.C.I.

P.E.P. leaned more toward the individual side of therapy than the group approach. The end goal was to work on a T.A.P. in the community. Planning for discharge usually began on the first day an inmate entered the program.

One of the main complaints from inmates applying for treatment at O.C.I. from other institutions was the lengthy delay between the time an inmate applied for admission and the time he learned of the Institute's decision.

The current procedure for application is that the inmate must first make a written submission to the Superintendent of his particular institution; the Superintendent or one of his staff prepares a written assessment recommending the inmate, if applicable; then both the written submissions from the inmate and the assessment of the institutional staff are forwarded together to the O.C.I. treatment unit administrators.

After a thorough examination of the inmate's background and previous convictions, a decision is made with emphasis placed on the length of the inmate's sentence, and whether the treatment staff feel he can benefit from either the short or long-term treatment program.

Once this decision is made, a written decision is sent to the administrators of the inmate's current institution.

Since the O.C.I. treatment unit usually operates well under capacity, inmates who apply for treatment find it extremely difficult to accept delays of up to three and four months in receiving a decision from O.C.I. Quite often, by the time the decision is reached, the inmate has either been released at the expiry of his sentence, or there is not

sufficient time remaining in his sentence for any useful treatment to be carried out.

It was the impression of our Investigators during their visits that the O.C.I. treatment unit has the potential - with its professional staff and excellent facilities - for providing successful short and long-term inmate treatment programs. At some later date, however, a more in-depth investigation should be undertaken to determine the success of the treatment unit.

The Institute benefits from the existence of a resident committee, members of which were interviewed by our Investigator. Generally, they expressed satisfaction with the treatment received at the Institute, but felt that more residents should be allowed to leave the Institute on Temporary Absence Passes to help them readjust to society.

#### CONCLUSIONS AND RECOMMENDATIONS

OUR VISITS TO AND OBSERVATIONS OF THIS INSTITUTION AND OUR INTERVIEWS WITH ADMINISTRATORS, CORRECTIONAL OFFICERS, PROFESSIONAL STAFF AND INMATES LED US TO CONCLUDE THAT THE ONTARIO CORRECTIONAL INSTITUTE WAS FUNCTIONING ADEQUATELY.

##### WE RECOMMEND:

1. THAT THE ADMINISTRATORS OF THE INSTITUTE RE-EXAMINE THEIR PROCEDURES FOR DECIDING ON THE SUITABILITY OF INMATES FOR ACCEPTANCE INTO THE TREATMENT PROGRAM SO AS TO SHORTEN THE LENGTH OF TIME NOW REQUIRED TO ADVISE INMATES OF WHETHER THEY ARE OR ARE NOT ACCEPTED. (In June, 1977, the Ministry informed us that an Admissions Committee had been formed which had improved the admissions procedure. At the same time the Ministry pointed out that some past delays were caused by a lack of documentation and slow mail delivery.) AND
2. THAT IF THE MINISTRY ESTABLISHES A COMMUNITY RESOURCE CENTRE IN THE BRAMPTON AREA, AS RECOMMENDED IN THE SECTION OF THIS REPORT DEALING WITH THE BRAMPTON JAIL, THE ADMINISTRATORS OF THE ONTARIO CORRECTIONAL INSTITUTE CONSIDER USING THE CENTRE FOR THOSE OF ITS INMATE-PATIENTS WHO COULD BENEFIT FROM REINTEGRATION INTO SOCIETY THROUGH A LESS SECURE SETTING THAN THAT EXISTING AT THE INSTITUTE; AND
3. THAT THE ADMINISTRATORS OF THE INSTITUTE, IN CONSULTATION WITH SENIOR MINISTRY OFFICIALS, UP-DATE ITS PUBLISHED CRITERIA FOR INMATE ADMISSION TO THE INSTITUTE, AND THAT THE CRITERIA BE MADE AVAILABLE TO ALL CORRECTIONAL INSTITUTIONS, PROVINCIAL CRIMINAL COURT JUDGES, COUNTY CRIMINAL COURT JUDGES, SUPREME COURT OF ONTARIO JUSTICES, CROWN ATTORNEYS, AND DEFENCE BAR

ASSOCIATIONS. (In June, 1977, the Institute's administrators informed us that a complete program review was underway. Upon its completion, an updated brochure will be prepared concerning programs and criteria for inmate admissions to the Institute.)



VANIER CORRECTIONAL CENTRE FOR WOMEN

GENERAL

The Vanier Correctional Centre for Women, located about 10 miles northwest of Toronto, opened in 1969, and is a medium-security institution with an official capacity of 120 female inmates.

As of October 5, 1976, its official staff complement included 16 management and 59 correctional personnel.

Our observations of the centre began in November, 1975, and have continued to date.

INMATE POPULATION

April 1, 1971	-----89
April 1, 1972	-----98
April 1, 1973	-----120
April 1, 1974	-----89
October 31, 1974	-----74
April 1, 1975	-----87
October 31, 1975	-----85
January 27, 1976	-----79
March 31, 1976	-----106
October 5, 1976	-----96
January 27, 1977	-----100
July 22, 1977	-----60

The Vanier Correctional Centre for Women has not experienced and is not experiencing an overcrowding problem.

Community Resource Centre

The Vanier Correctional Centre for Women is not served by a Community Resource Centre but the inmates at Vanier will be able to make use of a Toronto C.R.C. for women when it is established.

Officials at the Centre informed our Investigators that they make use of half-way houses operated by the Elizabeth Fry Society for some inmates who are close to the end of their sentences.

Future Building and/or Renovation Program

The Ministry has no construction or renovation plans for the Vanier Correctional Centre for Women.

STAFFING

NOTE: Management = M = Superintendent

Deputy Superintendent

Assistant Superintendent

C.O. 5 (Lieutenant)

C.O. 4 (Sergeant)

Correctional = C = Correctional Officers

	<u>Oct. 31/75</u>	<u>Jan. 27/77 *</u>
Official M/C Complement	10/67(1:6.7)	15/64(1:4.3)
Actual M/C Complement	10/67(1:6.7)	15/64(1:4.3)
Official Inmate Capacity	120	120
Official C - Inmate Ratio	1:1.8	1:2
Actual Inmate Population	85	102
Actual C - Inmate Ratio	1:1.3	1:1.6

\* Vacancies - According to the staffing formula in effect on January 27, 1977, there were no staff vacancies.

From April 1, 1975 to March 31, 1976, the Vanier Centre for Women spent \$65,576 for staff overtime, and an additional \$249,833 for casual employees. The total additional salary expenditure for the year was \$315,409, which, according to a Ministry document, is equivalent to the amount of money that would be spent if 27.3 additional full-time correctional staff were hired.

According to the same Ministry document, this institution has 47 posts which must be manned 24 hours a day, and, taking into account staff holidays, statutory holidays, regular days off and sick leave, the correctional staff complement should be increased by 15.

The difference between the equivalent number of staff which would be required (according to the amount of money spent for staff overtime and casual employees), and the actual full-time staff increase recommended by the new staffing formula, is due to the fact that the expenditure shown includes overtime wages paid at the rate of time-and-a-half and, in some cases, double time-and-a-half. The new staffing formula, which has been approved in principle by the Government's Management Board, has been computed on the basis of the elimination of such high overtime expenditures.

(In December, 1977, the Ministry informed us that after a further review, it had decided to increase the correctional officer complement by 1.)

#### Correctional Officer Turnover

As of January 27, 1977, the Vanier Centre for Women had 64 correctional officers on staff.

10 (16%) had less than 2 years experience.

21 (32%) had between 2 and 5 years experience.

33 (52%) had more than 5 years experience.

According to Ministry officials, staff turnover throughout the Correctional Services institutions was about 22 per

cent prior to January, 1975, when substantial salary raises were given and higher educational standards required of new correctional officers.

After the changes, and as of February, 1977, we were informed by Ministry officials that the current annual staff turnover rate is about 10 per cent.

In 1975, the Centre lost 9% of its correctional officers through separations and in 1976 it lost 8% for the same reason. On the basis of these figures, the Centre was not suffering an excessive staff turnover rate during the two years.

## SECURITY

### 1. Escapes

There were 88 escapes during the five fiscal years April 1, 1973 to March 31, 1976. Seventy-two (72) inmates were recaptured. \*

### 2. Deaths

One death occurred during the four fiscal years April 1, 1972 to March 31, 1976.

The Superintendent informed us that during the two-year period ending in mid-November, 1975, there had been one attempted suicide by an inmate.

### 3. Inmate Damage

The Centre's officials informed our Investigators that there was little or no inmate damage caused to this facility.

### 4. Hostage-Taking Incidents

The Centre's officials informed our Investigators that there had been no hostage-taking incidents at this institution.

### 5. Current Security Problems

During our visits to this institution since November, 1975, both the Superintendent and his Assistant commented on the need to convert one cottage into a maximum-security cottage to accommodate those female offenders who had difficulty in functioning in Vanier's open setting. Currently,

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\* The number of escapes shown for the institution does not necessarily reflect actual escapes. In some cases, the figure includes inmates who failed to return to the institution from a Temporary Absence Pass and such inmates do not, of course, reflect on the physical security of the institution.

Provincially, there were 13,311 Temporary Absence Passes granted between August, 1973 and August, 1975, and 127 inmates failed to return to their institution.



such offenders are transferred to the maximum-security Toronto Jail. There were no other major security problems brought to our attention either by administrative or correctional personnel.

#### SEGREGATION

As of October 5, 1976, the Vanier Centre for Women had four segregation cells and two were in use that day. During the six-month period ending October 5, 1976, 149 inmates had been placed in segregation, six voluntarily for their own protection and 143 involuntarily for the same reason.

The Superintendent informed us that inmates in segregation are checked by correctional officers every 20 minutes.

We were also informed that, aside from these cells, there was no maximum-security cottage at the Centre which could be used to house inmates who developed behaviour problems. Instead, such inmates had to be transferred to the Toronto Jail, thus losing all contact with the Centre's programs. Both staff and inmates commented to our Investigators that such transfers were a cause of concern, and the Superintendent suggested that one of the cottages used to house the inmates should be converted into a maximum-security unit to house inmates who may become problematic.

#### INMATE COMPLAINTS

Of the first 535 inmate complaint files closed by the Office of the Ombudsman, five originated from inmates at the Vanier Centre for Women. Of that number, one concerned medical treatment. None of the complaints dealt with the use of segregation, visiting privileges, dental treatment, or the Centre's meals.

#### INSTITUTIONAL MORALE

From November, 1975, through October, 1976, staff and Investigators from the Office of the Ombudsman described the staff morale as medium.

During the same period, the inmate morale was also described as medium.

#### Conclusions

The factors which contributed to the medium staff and inmate morale included:

1. The excellent condition of the dwellings and facilities in the institution.
2. The diversified nature of the programs.
3. The fact that the institution was rarely overcrowded.
4. The excellent communication between staff and inmates. Inmates had a good deal of input into program planning.

5. The availability of a treatment milieu in the institution.
6. The accessibility of the administrators to inmates and the leadership provided for staff members.
7. Although the overall situation is stable, certain problems were identified. The recent reduction in staff complement was interpreted by many staff members and inmates as a movement towards a more custodial approach and a downgrading of programs.
8. The reduction in staff complement necessitated the use of casual employees and increased staff overtime.
9. Many inmates expressed concern about the therapy program at the institution. Some residents perceived it as a system of forced therapy.
10. Several inmates said they felt threatened by the fact that if they did not take part in the Centre's programs, they would be transferred to the Toronto Jail.

In November, 1975, Investigators from our office described this medium-security institution as an excellent rehabilitation-oriented facility. They found the dwellings and facilities to be in excellent condition and were impressed by the diversified nature of the programme. The official capacity was 120 inmates but at that time, the inmate count was 86. Inmate overcrowding was not a problem.

At the same time, our investigative team reported that staff and inmate morale appeared to be high. There seemed to be excellent communication between staff and residents, with residents having a good deal of input into the program planning.

Although the overall situation was stable, certain problems were identified. The major problem appeared to be a recent reduction in staff complement, which many staff members interpreted as a movement toward a more custodial approach. There was a great deal of apprehension that this reduction in staff would have a negative effect on inmate programs at the Centre.

In discussing programs, many inmates were upset by what they perceived to be the system of forced therapy - which they described as "head games" - at the Centre.

Another concern expressed by the inmates in November, 1975, centered around the nature of the available educational programs. They felt there was a need to broaden educational programs to include more skilled training in practical disciplines.

During our October, 1976, visit in connection with this report, we were pleased to find that the Centre had been able to purchase bed-space in the Elizabeth Fry Society half-way houses for residents on the Temporary Absence Program. In addition, there was also evidence of a movement away from the "enforced therapy" approach to treatment, which had been previously criticized by inmates. The new approach allowed for a greater degree of self-determination by the inmates.

There was still some unrest among staff members who felt that the reductions in staff complement had placed increasing burdens upon them. Several officers complained that during their entire career in the Ministry, they had only attended one initial staff training and development program, and they suggested that, since female inmates often experience different problems and have many different needs than their male inmate counterparts, it would be useful for the Ministry to provide special training programs for all correctional staff working with female inmates.

One final concern of the female inmates - but one which was very important to them - was that any minor outbursts or problems they created resulted in an immediate transfer to the maximum-security female section of the Toronto Jail because there were limited segregation facilities at the Vanier Centre.

During our interview with the newly-appointed Superintendent in November, 1976, he indicated that he hoped to involve the community more in inmate rehabilitation and he also indicated that, being aware of past inmate criticism of the Centre's programs as being "head games", he intended to establish a system whereby inmates would have more input into the Centre's programs.

The Superintendent, responding to inmate concern about being transferred to the Toronto Jail when they became behaviour problems at the Centre, said he considered it a top priority that one cottage be renovated to make it more secure so that the Centre would not have to, in effect, transfer its problem inmates totally away from the Centre's programs.

The Assistant Superintendent echoed the Superintendent's concerns about the need for a maximum-security cottage, and commented that, in recent years, the female offenders sent to the Centre seemed to have committed more serious crimes than those housed there previously. She also said the Centre was experiencing the difficulty of having to deal with female offenders who were recidivists, and that such inmates placed an added burden on the reduced staff.

One cottage supervisor praised the establishment of a program which saw some female inmates taking part in practical-skill programs through the co-operation of officials at the Brampton Adult Training Centre, and he commented that there were no pressing problems at the Vanier Centre.



During our October, 1976, visit to the Centre, our Investigators attended a regularly-scheduled meeting between a senior official of the Centre and the members of the Inmate Liaison Committee, and our staff members felt that the management-committee meetings served as a useful vehicle for exchanging ideas and discussing problems.

#### CONCLUSIONS AND RECOMMENDATIONS

OUR VISITS TO AND OBSERVATIONS OF THIS INSTITUTION AND OUR INTERVIEWS WITH ADMINISTRATORS, CORRECTIONAL OFFICERS, PROFESSIONAL STAFF AND INMATES LED US TO CONCLUDE THAT THE VANIER CENTRE IS, IN GENERAL, A WELL-RUN INSTITUTION. HOWEVER,

##### WE RECOMMEND:

1. THAT THE MINISTRY TAKE THE APPROPRIATE STEPS TO CONVERT ONE COTTAGE AT THE CENTRE INTO A MAXIMUM-SECURITY SETTING, THEREBY REDUCING THE NEED TO TRANSFER INMATES TO THE TORONTO JAIL AND CUTTING INMATE TIES TO THE PROGRAMS AT THE CENTRE. (In June, 1977, we were informed that one cottage had been converted into a "secure living unit," complete with security screens and special staff to deal with difficult inmates. The inmates take part in special programs designed to allow them to progress out of the secure unit into one of the centre's less secure cottages.) AND
2. THAT THE CENTRE'S ADMINISTRATORS STRIVE TO ESTABLISH MORE PRACTICAL INDUSTRIAL PROGRAMS, WHILE AT THE SAME TIME WE COMMEND THE AUTHORITIES AT BOTH VANIER AND THE BRAMPTON A.T.C. FOR THEIR CONTINUING EFFORTS TO MAKE MORE CO-EDUCATIONAL TRAINING PROGRAMS AVAILABLE. (In June, 1977, we were informed that Vanier inmates were then employed on a production line set up by C.P.S. Leather Industries Ltd. which rents space within the Centre. The firm supplied work not only in the Centre, but also in its own plants in two Toronto locations either on an inmate's release or through an employment T.A.P.) AND
3. THAT THE MINISTRY ESTABLISH A SPECIAL STAFF TRAINING AND DEVELOPMENT PROGRAM FOR CORRECTIONAL OFFICERS DESIGNATED TO WORK WITH FEMALE OFFENDERS; AND
4. THAT THE CENTRE'S OFFICIALS MAINTAIN AN AWARENESS OF SOME INMATES' PERCEPTIONS THAT SOME PROGRAMS AT THE CENTRE ARE A FORM OF FORCED THERAPY AND DEVELOP MEANS OF ESTABLISHING MORE COMMUNICATION WITH INMATES ABOUT THE PROGRAMS. (In June, 1977, we were informed that all groups had been made voluntary and that inmates were encouraged to participate according to their

needs. Cottage therapeutic groups had been discontinued. In addition, a revised orientation program was in operation with the emphasis on voluntary participation and choice in providing personalized programming.) AND

5. THAT DUE TO THE SPECIAL NATURE OF THE PROGRAMS OFFERED AT THE VANIER CENTRE, THE CONCERNS OF SEVERAL STAFF MEMBERS (ESPECIALLY CONCERNING THE HEAVY RELIANCE ON CASUAL STAFF USAGE, THE ESTABLISHING OF A "SECURE" COTTAGE AND THE NEW PRODUCTION LINE EMPLOYMENT) THE MINISTRY IMMEDIATELY COMPLETE A NEW STAFFING FORMULA AND PERMIT THE INSTITUTIONAL AUTHORITIES TO HIRE NECESSARY ADDITIONAL STAFF.

### CORRECTIONAL CENTRES/ADULT TRAINING CENTRES

This section deals with those institutions which were not included in our surveys of November, 1975, and October, 1976, but which were visited on a regular basis by our Investigators in the course of the investigation of inmate complaints.

The table following illustrates the number of times members of the Office of the Ombudsman visited these institutions from November, 1975, to April, 1977, and, following the table, we have included capsule comments made by our Investigators on these institutions.

Our general conclusions and recommendations in Chapter IV are based not only on our observations of the institutions subject to our in-depth surveys, but also on our assessments of conditions in all other visited facilities.

Number of Regular Visits Made by Investigators to Correctional Institutions Not Included in the Surveys of November, 1975, and October, 1976. The Figures Below Include All Visits Made Between November, 1975, and April, 1977.

<u>Institution</u>	<u>Number of Visits</u>
Brampton Adult Training Centre	9
Glendale Adult Training Centre	4
House of Concord	4
Monteith Correctional Centre and Jail	5

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#### Brampton Adult Training Centre

The Brampton Adult Training Centre is a minimum-security institution located in an open setting. Each of the cottages (living quarters) are arranged as dormitories. There are no cells.

This institution has a capacity of 120 male first offenders between the ages of 16 to 24. The inmates have access to a Chapel, there are regular visits from volunteers and community groups, and there is an extensive education and work program.

In addition, the Brampton A.T.C. has an excellent Temporary Absence Program for educational and work purposes.

Our observations have led us to conclude that this is a stable well-run institution with few problems.



### Glendale Adult Training Centre

In the early 1960's, this minimum-security institution operated as a training school for juveniles. In 1974, it was converted into an adult institution, housing minimum-security first offenders.

As a correctional facility, it provides excellent accommodation with a private room for each inmate. Furthermore, it is set up on a unit system in which each unit and its programs are separate from the others. These units include life skills for short-term offenders serving less than six months; a temporary absence unit for inmates who are either working or going to school in the community; a milieu and group therapy unit for inmates requiring assessment and treatment; and a behaviour change unit for inmates with more severe behaviour problems.

Glendale provides excellent facilities for inmates because the philosophy of the administration is one of total program orientation. One example is the excellent temporary absence program which gives inmates a great deal of access to the community. In our opinion, Glendale is a well-run institution experiencing no major problems.

### House of Concord

The House of Concord, which is located in North Toronto, is operated for the Ministry by the Salvation Army. It is an open setting which houses first offenders and selected recidivists.

It provides some excellent facilities with both private and semi-private rooms for the residents. There is an excellent recreation program which includes pool tables, an indoor hockey rink and a swimming pool.

Some of the vocational programs include welding, auto-body, painting, and woodworking. Based on our limited contact with the House of Concord, this office has noted no major problems and it would appear that it is a well-run institution.

### Monteith Correctional Centre and Monteith Jail

The Monteith Correctional Centre and Monteith Jail are adjoining facilities located on the same site about 50 miles northeast of Timmins.

The Correctional Centre houses 180 minimum and medium-security inmates in a setting which provides varied academic, vocational, work and recreational programs. The jail, constructed in 1965, has an official capacity of 26 male inmates. It should be noted that this complex is the only one within the Ministry which combines jail and correctional centre facilities. The Monteith Jail and Correctional Centre are connected by an underground tunnel which provides easy movement between the facilities and allows the sharing of staff and services.

The Correctional Centre, which receives most sentenced prisoners from the northeast and northcentral sections of the Province, did not appear to be suffering from an overcrowding problem, but was continually at or near capacity. The physical facilities at the Correctional Centre were found to be quite satisfactory as evidenced by the impressive array of academic, vocational and industrial programs for inmates.

Most noteworthy among the programs offered was a well-established temporary absence program which provided selected inmates with access to the integrated service of Northeast Psychiatric Hospital, Northern College of Applied Arts and Technology and Canada Manpower. This graduated program, which takes place entirely in community settings, allows inmates to take part in selection and screening, life skills training, academic and vocational training and counselling and placement services which have resulted in many inmates being placed into suitable work settings in the community. This program is an outstanding example of the community corrections approach utilizing available community resources in a cooperative integrated fashion. Perhaps due in part to the availability of programs such as the one outlined above, few complaints or problems were sent to us from the Correctional Centre.

Similarly, the Monteith Jail, which appears to be seldom overcrowded, has not been a major source of inmate complaints. Despite the lack of serious complaints about the facility, our observations indicated that the structure of the jail was less than ideal for the purpose it is intended to serve. Because the population was housed in a series of group cells holding several inmates in each, there was little flexibility possible in cell allocation.

Thus, high security risk inmates often had to be transferred to the Haileybury Jail where they could be accommodated in single cells. Apart from this deficiency, no other major problems were observed at this jail.

A review of the complaints received from both the Monteith Correctional Centre and Jail, and discussions with senior institutional staff at the facilities, indicated that institutional morale was at an acceptable level. The majority of inmate complaints received have been of a minor nature and many of those were unrelated to the living conditions at Monteith.

C H A P T E R    I V

GENERAL CONCLUSIONS AND RECOMMENDATIONS





## GENERAL CONCLUSIONS AND RECOMMENDATIONS

### PRELIMINARY REMARKS

It is our assessment that the existing tensions in Ontario's correctional facilities - jails, detention centres and other adult institutions - are not of such proportions as to constitute an imminent and serious threat to life and property through riots and violent disruptions.

This is not to say that isolated incidents of such a nature will not occur. It is to say, however, that our on-going observations of Ontario's correctional institutions lead us to believe that they are not on the verge of erupting.

In any custodial setting, (what some sociologists have called "total institutions" - where a small management group is responsible for the full spectrum of human needs of a large captive group), there inevitably exists some mutual mistrust and hostile stereotyping on both sides. Some degree of tension will always be present: on the part of the management group with the realization that an element of danger is a constant companion in dealing with those who are detained against their will, and on the part of the captive group when they perceive that their needs are not being adequately accommodated. Obviously, such tensions can become mutually aggravating and culminate in tragic consequences.

Many of our local jails are obvious examples of those "total institutions" where potentially violent tensions can easily be exacerbated. Some would tax even the imagination of Dickens for adequate description. For those critics who bemoan the alleged "mollycoddling" of inmates, one day behind the walls in one of our older jails would alter their perceptions substantially.

On the other hand, the design and facilities of some of the newer detention centres would placate even the most ardent prison reformer. For those who decry jails as dens of iniquity where cruel and unusual punishments are concocted and perpetrated upon hapless inmates, one day behind these bars would convince them that this is not so.

An unbiased observer would more typically perceive a sterile warehouse where the inmate must cope as best he can with enforced idleness and pervasive, routinized boredom, punctuated with occasional bursts of activity in the cleaning of his cell, a brief exercise period in the yard, receiving a visit, or preparing for a court appearance.

All this takes place in an atmosphere where privacy is prohibited and quietude is non-existent amidst the clang and clamor of slamming doors, shouted instructions, and the blaring of radios and televisions.

To provide readers of this report with some basic background into the prison system in Canada, we quote from

Studies in Imprisonment, Law Reform Commission of Canada, 1976, at page 49:

"Imprisonment was not a common law punishment. At common law, the task of the judges as commissioners of the general jail was to clear the jails, not to fill them. The punishment for a felony was death and the punishments for lesser crimes included fines, the pillory, dunking, whipping and banishment. Imprisonment was formally introduced into England as a sanction in 1842 when the British Parliament passed legislation permitting offenders to serve their sentence in prisons modelled after the Philadelphia, Pennsylvania system. From this time on, imprisonment was used with increasing frequency. In fact, by 1867, it replaced the established practice of banishing offenders to the colonies.

"In Canada, imprisonment as we understand it is also relatively new; it was not until 1837 that the Kingston Penitentiary was built. Modern day imprisonment was a response to brutal sanctions; but it was also seen as a place of exile - a place where an offender would have the opportunity to contemplate his wrongful deeds and thereby become penitent. The place for silent contemplation, solitary confinement with a bible became the Penitentiary. The benevolent Quakers of Philadelphia introduced the concept; a short time later Dickens was compelled to write:

'The system here is rigid, strict, and hopeless solitary confinement. I believe it, in its effects, to be cruel and wrong. In its intentions, I am well convinced that it is kind, humane, and meant for reformation; but I am persuaded that those who devised this system of Prison Discipline, and those benevolent gentlemen who carry it into execution, do not know what they are doing...

'I hold this slow and daily tampering with the mysteries of the brain, to be immeasurably worse than any torture of the body; and because its ghastly signs are not so palpable to the eye ... and it exhorts few cries that human ears can hear, therefore, I the more denounce it, as a secret punishment which slumbering humanity is not roused up to stay.'



"Simultaneously, an alternative prison system was being developed in Auburn, New York. It stressed correction and rehabilitation through work, thus departing from the solitary rule. It was this model that we adopted in Canada and it still contributes to modern penal philosophy.

"In Canada, there are three types of institutions in which offenders may be imprisoned: reformatories, common jails, and penitentiaries. To some degree, the length of sentence imposed by the Court determines the type of institution to which an offender will be sent. In accordance with the provisions of the Criminal Code, an offender who is to be imprisoned for two years or more is sent to a federal penitentiary. If, however, an offender is sentenced to a term of less than two years, he may be committed to a provincial or local jail or a reformatory.

"In British Columbia and Ontario, an offender may receive both a definite sentence of under two years (i.e., a sentence fixed solely by the court), and an additional indeterminate term which cannot exceed two years less one day. In this situation, the offender would serve the definite term of his sentence in a common jail or reformatory and would then be considered for parole. If parole is granted, the offender would serve the indeterminate portion of his sentence in the community under parole supervision."

The Ministry of Correctional Services inherited the outdated local jails when it assumed responsibility for their operation from local municipalities in 1968. An impartial and objective look at these jails reveals not only that a large number of them are not of a standard in keeping with human dignity and the aims of sound rehabilitative principles, but also it precludes the facile and unwarranted judgment that the blame for this state of affairs rests squarely on the shoulders of the Ministry and its institutional representatives.

In fact, we view the Government's take-over of local jails in 1968 as a courageous act and one which, we feel, has had a positive effect on Ontario's correctional system. Prior to the take-over, the government had already been engaged in cost-sharing negotiations with local councils in an effort to replace outdated jails, but in September, 1967, it announced that effective January 1, 1968, it would assume full financial and administrative responsibility for such facilities.

In a news statement issued by the then Department of Reform Institutions, the government explained its policy change this way:

"The complete take-over of the County and City Jail system will have far-reaching and important implications for future programs in the corrections field.

"Major among these is the tremendous potential it opens up for rehabilitation through the extensions of the highly developed rehabilitation programmes now operated by the Department as we will now be able to include the local jails."

"Among the other advantages of taking over the County and City Jails and Regional Detention Centre Programme are the following:

"It will assure that we can now move forward in a planned and systematic programme of providing Regional Detention Centres without the restriction of adherence to County boundaries;

"Technical staff and clinical staff, such as Social Workers, Psychologists, Psychiatrists, etc., will be available to assist and plan the regional level more easily under a uniform system;

"It will permit a uniform system of classification of the inmate population.

"Uniform standards will be established in all jails;

"All staff in jails will be trained by the Department to meet our standards for correctional personnel;

"Greater flexibility will be available in the use of facilities. For example, the transient who has been sentenced in Windsor for a short term is now kept in Windsor Jail, even though his family may be in Ottawa. Under a uniform system, it will be simpler to transfer him to a different locality in order to assist in his rehabilitation. The maintaining of family relationships is fundamental in a sound correctional system...

"It is apparent that the assumption by this Government of the costs of the Administration of Justice ... has progressive, wide reaching and important implications for future progress in the corrections field.

"As a matter of fact, Ontario now will have what will probably be the most

integrated correctional system in North America."

There is no doubt that the government took on an onerous task when it assumed responsibility for all jails in the province, and we commend it for the great strides it has made in the replacement of old facilities since 1968. The fact that not all such jails have been modernized or replaced is understandable.

In many cases, it is the physical structures themselves that constitute the problem - facilities so forbidding and so foreboding - as the architecture, construction, and massive masonry make the necessary renovations that would raise them to an acceptable standard impossible without a formidable expenditure of funds.

The Ministry's long-range policy to replace most of the outdated jails with modern, regional detention centres will help alleviate conditions in the antiquated jails.

For the moment, however, the Ministry's replacement or renovation plans have been stalled.

Until 1977, the Ministry was working under a capital program established with the co-operation of the Ministry of Government Services, but in mid-1977, the Ministry of Government Services informed the Ministry of Correctional Services that it would not proceed with any plans until correctional officials had submitted a new and updated accommodation plan to the Government for its approval.

The Ministry responded with such a plan, but in August, 1977, it was withdrawn for revisions.

In effect, the Ministry of Government Services' halt to capital programs for the Corrections Ministry and the withdrawal of the new accommodation plan for revisions, means that many proposed or new facilities will be delayed.

This lack of progress is likely to continue until the Ministry completes its new long-term (to 1986) inmate population projections and is able to determine, based on those figures, what new facilities, if any, are required in the future. Until recently, that is until the late summer of 1977, the Ministry was of the view that a massive new construction program would be required to accommodate the thousands of inmates expected to flood the provincial correctional system between 1977 and 2001.

New population forecasting, however, shows that based on the most recent trends the Ministry will experience a very small and slow growth in demands on its facilities between 1977 and 1986. Whether this slow-growth trend will continue is difficult to predict, however.

In the interim, the often deplorable working and living conditions of both correctional officers and inmates will continue to exist, and the Ministry's aims - detention and rehabilitation - will continue to be thwarted in many institutions.



For the sake of convenience, our conclusions and recommendations are presented in the context of our observations related to the major allegations contained in the C.S.A.O. statement of October, 1975, as well as in the context of the complaints received at our office by the time that statement was issued.

The complaints, about 100 of which had come to our office by the time of the C.S.A.O. statement, came from jails, detention centres, correctional centres and other correctional institutions across the province and dealt with a multitude of problems, including complaints about meals, medical and dental treatment, use of segregation, visiting privileges, overcrowding, lack of privacy, inadequate recreation programs, and inmate-staff relations.

As stated in the Ministry's Annual Reports, the main purposes of the Ministry of Correctional Services are two-fold:-

- (1) to carry out the legal duties imposed upon the Ministry by the courts for the protection of society, and
- (2) to attempt to modify the attitudes of those in its care and to provide them with the kind of training and treatment that will afford them better opportunities for successful personal and social adjustment in the community.

However, these two goals are not always reconcilable and, in fact, they can often be in conflict with each other when incarceration is used heavily by the courts as the disposition of criminal cases.

As the Law Reform Commission of Canada states in its Working Paper 3, The Principles of Sentencing and Dispositions; page 4,

"Rehabilitation, in the sense of improving the offender's ability to cope with life, may not be an unimportant factor in sentencing. Too frequently, rehabilitation is measured only in terms of reduced recidivism, a measure that has repeatedly demonstrated the limited capacity of treatment or rehabilitation to control crime. Yet, to improve an offender's life skills or to reduce his personal suffering are simple, humane gestures that should have a proper place in sentencing policy. Such rehabilitative efforts, indeed, may even have direct benefits in reducing recidivism in particular cases."

and at page 13,

"Because of the doubtful effectiveness of imprisonment in reducing recidivism, however, and the high costs of imprisonment, both economic and social costs, as well as direct and indirect

costs, economy demands that imprisonment be used with restraint. This is not to say that complete deprivation of liberty may not be a deterrent in some cases. After all, it is estimated that from 35 per cent to 60 per cent of those imprisoned as first offenders do not return. It may well be, however, that had they been placed on probation or fined they may not have returned either. No one really knows much about the effectiveness of sanctions."

In brief, it is difficult to show that correctional institutions rehabilitate offenders, yet it is precisely in such facilities that the Ministry must attempt to accomplish this purpose when incarceration is used as the disposition of criminal cases by the courts.

The correctional institutions, be they jails, detention centres, correctional centres, forestry camps, etc., are part of an integrated system functioning, in theory, not only to isolate, but also to re-educate offenders for law abiding and productive citizenship in the community. As an integrated system, what happens at one point in the system has ramifications in every other area.

Within this system, a jail is usually defined as an institution intended to hold adult prisoners awaiting trial on remand, or awaiting hearing of an appeal, and those inmates sentenced to only a few days in prison - not long enough to warrant transfer to an institution serving sentenced offenders.

At least this is so in theory.

In fact, and in accordance with a Ministry directive, almost all of Ontario's jails hold inmates who are serving sentences of up to three months.

In other words, whatever rehabilitation the system could provide for these inmates must occur at these jails or not at all. This is especially important in view of the fact that for almost all inmates the provincial jail will be the first contact with the adult custodial correctional system, and for many it will be the only contact.

As the Report of the Canadian Committee on Corrections, 1969, commented at page 287,

"The jail is the traditional facility through which many offenders go into the correctional system and it thus forms an important link between community law enforcement and the correctional services. It is important that the accommodation and program offered should enhance respect for the law and its enforcement and should prevent further identification with the criminal element particularly on the part of young and first offenders and also those subsequently acquitted and discharged."

## OVERCROWDING

### Preliminary Remarks

After completion of our initial November, 1975 project and subsequent visiting and re-visiting, a consensus was arrived at by our investigative staff members that the provincial jails constituted a major problem for the effective delivery of rehabilitation services to inmates within the correctional system.

It was and is still obvious that the total number of inmates within the system overextended the services and facilities of the majority of the jails and detention centres and taxed to the limit those of several correctional centres.

To measure the degree of overcrowding, we compared the actual number of inmates in the institution at the time of our visits to the normal inmate capacity, that is, the number of inmates for which those institutions were designed. The degree of overcrowding ranged from 100 per cent (a situation where there were present twice as many inmates as the institution was designed to accommodate) to about 10 per cent.

Although our sample did not include all provincial jails, we compiled data from Ministry Annual Reports and other Ministry documents concerning the possible overcrowding throughout the jail system from March 31, 1972 to July 22, 1977.

(We also, at the time of deciding upon the institutions to be reported on in detail in this report, consulted our data concerning the number of inmate complaints from jails not designated for a comprehensive report, and found that of the first 535 inmate complaint files closed by our office, only 63 originated from inmates of these 22 jails. Because of the comparatively small number of complaints from these jails, we decided to concentrate our efforts on institutions from which we had received a large number of inmate complaints and which were, coincidentally, usually the same institutions recommended to us by both the Ministry and the C.S.A.O. as requiring investigation.)

Our Investigators have provided capsule comments on the province's other jails and correctional institutions, however, and these are presented at the end of Chapters Two and Three.

The following chart shows the name of the jail, the date it was built, its official capacity, the greatest and least number of inmates incarcerated on any one day, the average number of inmates imprisoned per day, and the number of inmates by which the jail was either over or under capacity, based on the average.



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JAIL INMATE POPULATIONS \*

<u>NAME</u>	<u>DATE</u>	<u>CAPACITY</u>	<u>GREATEST</u>	<u>LEAST</u>	<u>AVERAGE</u>	<u>±</u>
Brantford (1852)			(23 on July 22, 1977)			
	77	41	56	27	39.9	-1
	76	41	51	29	39	-2
	75	41	48	19	34.3	-7
	74	49	48	18	33.6	-15
	73	49	44	15	33	-16
	72	49	44	11	25	-24
(25 single cells, most with 2 beds)						
Brockville (1842)			(15 on July 22, 1977)			
	77	25	38	14	24.3	-1
	76	25	40	7	22.4	-3
	75	24	34	10	21.8	-2
	74	28	32	-	19.5	-9
	73	28	27	-	18	-10
	72	28	27	4	16	-12
Chatham (1850)			(28 on July 22, 1977)			
	77	44	54	20	37.1	-7
	76	46	53	22	34.5	-12
	75	41	48	10	29.3	-11
	74	36	42	10	25.3	-11
	73	36	37	14	25	-11
	72	36	37	5	21	-14
Cobourg (1906)			(19 on July 22, 1977)			
	77	37	38	15	29.4	-7
	76	37	46	12	27.9	-9
	75	41	41	13	24.7	-16
	74	38	43	10	22	-16
	73	38	29	5	15	-23
	72	38	29	4	15	-23
Fort Frances (1907)			(13 on July 22, 1977)			
	77	12	21	4	11.7	-
	76	12	19	1	9.4	-3
	75	14	31	3	11.1	-3
	74	12	25	4	10.4	-2
	73	12	24	3	11	-1
	72	12	24	-	9	-3
Haileybury (1923)			(20 on July 22, 1977)			
	77	32	42	11	25.2	-7
	76	32	41	13	36.4	-6
	75	32	35	8	20.3	-12
	74	32	41	10	22.1	-10
	73	32	43	6	18	-14
	72	32	43	7	25	-7

\* Except for July 22, 1977, all figures are as of the fiscal year end of March 31.

<u>NAME</u>	<u>DATE</u>	<u>CAPACITY</u>	<u>GREATEST</u>	<u>LEAST</u>	<u>AVERAGE</u>	<u>+</u>
(19 on July 22, 1977)						
Lindsay (1863)	77	30	40	8	21.9	-8
	76	30	37	8	18.9	-1
	75	30	32	5	15.2	-15
	74	36	25	5	14.4	-22
	73	36	27	3	8	-28
	72	36	27	8	14	-22
(11 on July 22, 1977)						
L'Original (1828)	77	27	32	10	20.7	-6
	76	27	24	8	16.3	-11
	75	27	21	4	10.3	-17
	74	27	20	5	10.3	-17
	73	27	15	1	8	-19
	72	27	15	1	8	-19
(28 on July 22, 1977)						
Monteith (1965)	77	25	37	11	20.7	-5
	76	26	35	7	20	-6
	75	24	31	3	15.6	-8
	74	23	20	3	10	-13
	73	23	30	-	11	-13
	72	23	30	3	14	-9
(41 on July 22, 1977)						
North Bay (1928)	77	63	81	24	43.4	-20
	76	63	80	21	47.4	-10
	75	68	65	16	36.7	-33
	74	68	70	14	37	-33
	73	68	64	10	28	-40
	72	68	64	8	28	-40
(17 on July 22, 1977)						
Orangeville * (1881)	77	16	27	11	16.8	+1
	76	16	27	5	16.9	+1
	75	20	23	7	14.3	-6
	74	18	28	5	14.9	-3
	73	18	19	1	8	-1
	72	18	19	-	7	-1
(20 on July 22, 1977)						
Owen Sound	77	37	49	15	34	-3
	76	37	48	13	28.3	-9
	75	40	41	14	25	-1
	74	30	35	11	21.7	-8
	73	30	34	5	19	-1
	72	30	34	5	15	-1
(26 on July 22, 1977)						
Parry Sound	77	35	47	6	27	-8
	76	35	42	16	26.5	-8
	75	35	42	9	25	-1
	74	35	38	10	23.3	-1
	73	35	31	5	19	-1
	72	35	31	7	18	-1

\* To close in February, 1978.

<u>NAME</u>	<u>DATE</u>	<u>CAPACITY</u>	<u>GREATEST</u>	<u>LEAST</u>	<u>AVERAGE</u>	<u>±</u>
Pembroke (1866)			(10 on July 22, 1977)			
	77	28	37	12	23.2	-5
	76	32	43	14	25.3	-7
	75	32	40	8	19.9	-12
	74	32	43	5	18.2	-14
	73	32	39	7	20	-12
	72	32	39	6	23	-9
Perth (1864)			(20 on July 22, 1977)			
	77	25	31	11	21.1	-5
	76	25	29	9	18.6	-7
	75	26	30	7	15.3	-11
	74	26	31	6	15.7	-10
	73	26	25	3	16	-10
	72	26	25	4	12	-14
St. Thomas	77	17	31	11	20.3	+3
	76	17	34	9	22.5	+6
	75	17	29	5	17	±
	74	21	30	9	18.5	-2
	73	21	32	6	16	-5
	72	21	32	8	17	-4
(Closed upon the opening of the Elgin-Middlesex Detention Centre in London in April, 1977.)						
Sarnia (1961)			(48 on July 22, 1977)			
	77	59	69	26	49.4	-10
	76	59	69	21	48.6	-10
	75	70	66	11	32.1	-38
	74	54	45	16	30.8	-23
	73	54	77	14	27	-27
	72	54	77	13	33	-21
Simcoe * (1851)			(22 on July 22, 1977)			
	77	26	50	20	32.8	+7
	76	38	45	16	31.8	-6
	75	34	40	11	23.5	-10
	74	31	32	7	18.1	-13
	73	31	20	4	14	-17
	72	31	20	4	11	-20
Stratford			(17 on July 22, 1977)			
	77	31	45	12	28.4	-3
	76	31	39	15	27.7	-3
	75	27	30	4	18.2	-9
	74	27	36	11	20.4	-7
	73	27	23	5	13	-14
	72	27	23	2	9	-18
Walkerton (1866)			(29 on July 22, 1977)			
	77	27	40	13	25.8	-1
	76	25	41	13	26.4	+1
	75	36	34	8	18.6	-17
	74	32	25	5	13.4	-19
	73	32	23	2	13	-19
	72	32	23	3	10	-22

\* To close in February, 1978.





From this chart, it is evident that as of March 31, 1977, only three of the 22 jails listed had an overcrowding problem based on a comparison of official inmate capacity and average daily inmate population figures.

However, a comparison of official inmate capacity and greatest number figures reveals that each of the 22 facilities was overcrowded at some point in 1976-77, and, in most cases, the comparative figures for previous years shows that the overcrowding problem has become worse each year for the past six years.

And, although the "greatest number" figures may not be the most reliable signpost because they measure an extreme variation only, both the "average" and +/- figures clearly indicate that in most of the 22 jails the gap between the official capacity and the daily "average" number of inmate incarcerates is narrowing rapidly.

If these jails are faced with increasing demands on their static capacities it is evident that practically every one of them will soon be placed in a position where even the most meagre rehabilitation program will have to be sacrificed in order to simply cope with the logistics of admitting, accommodating, feeding, exercising, transferring, guarding and releasing more inmates than the jail was ever intended to deal with.

Of the 22 jails listed, 15 were built before the turn of the century - one in the 1820's, one in the 1840's, five in the 1850's, five in the 1860's, one in the 1870's and two in the 1880's.

Of the other seven jails, two were built in the 1910's, three in the 1920's, and two in the 1960's.

Most of them are not suitable candidates for expensive renovations or additions to upgrade them to 1977 correctional facility standards, and since no long-term accommodation plan has been approved, none are scheduled to be replaced.

Since the Ministry has no immediate plans to replace most of these aging institutions, and since practically all of them have had or have overcrowding problems, it appears evident that unless their inmate population is reduced, they face the prospect of having to function in the context of continuing and worsening overcrowding.

We have identified several major reasons for jail overcrowding - only one of which is under the control of the Ministry of Correctional Services.

#### (i) Population Trends

First, most jails were built to serve a much smaller population base than now exists.

Ontario is the fastest-growing of all Canada's provinces east of Alberta, and, although its 2% annual rate of growth from 1971-1976 is lower than the 2.6% annual rate of

growth from 1951-1971, the following figures clearly show the tremendous population increase that has occurred since 1951.

<u>Year</u>	<u>Population</u>
1951	4,597,542
1956	5,404,933
1961	6,236,092
1966	6,960,870
1971	7,703,106
1976	8,131,168

The Ministry's Annual Report for the year ending March 31, 1972, shows a total official jail capacity of 2,683 inmates. On January 27, 1977, that figure, including new detention centres which have replaced several old jails, was 2,923 - an increase of 240 inmate spaces.

Given those figures, we were interested to find that in the summer of 1977, the Ministry had projected jail and detention centre inmate population counts for 1986 and 2001 at 3,940 and 9,850 respectively in its latest long-range accommodation plan submitted to the Government.

That projection, however, was based to a large extent on the Ministry's use of a 2.7% annual population increase figure.

Shortly after the Ministry withdrew its long-term accommodation plan for revisions, the Ministry of Treasury, Economics and Intergovernmental Affairs issued a report (Social Indicators For Ontario, 1977, August, 1977) showing that the provincial annual population increase had dropped drastically since 1961.

According to that report, on page 33, not only had the annual population growth dropped, but so had the number of births per 1,000 women:

<u>Year</u>	<u>Per Cent Annual Growth</u>	<u>Births Per 1,000 Women</u>
1961	2.9	108.3
1966	2.2	80.3
1971	2.1	68.4
1974	1.7	60.7

Partly based on these revised figures relating to annual population growth, the Ministry of Correctional Services now estimates that the growth in its inmate population between 1977 and 1986 will be slightly less than 2% per year.

In gross figures, this adjustment has meant that Ministry officials have changed their projected jail/detention centre population forecast for the year 1986 from 3,940 inmates to about 2,900.



As a result, the Ministry's long-term accommodation plan, which called for a massive building program over the next 25 years, has been altered substantially, particularly in light of the fact that the Ministry, as of July 22, 1977, has a jail/detention centre inmate capacity of 2,923 inmates.

(ii) Police Spending

Second, police budgets (municipal, provincial and federal) have increased dramatically in recent years, with the inevitable result that more arrests are made, more accused persons are remanded into custody either to await bail and/or trial, and more people are processed through the criminal courts.

Nationally, both the police and the courts have been forced to deal with an increasing number of offences, as the following figures, from the Federal Ministry of the Solicitor General, indicate.

<u>Year</u>	<u>Violent<sup>1</sup></u> <u>Offences</u>	<u>%</u> <u>Incr.</u>	<u>Criminal Code</u> <u>Offences</u>	<u>%</u> <u>Incr.</u>	<u>All<sup>2</sup></u> <u>Offences</u>	<u>%</u> <u>Incr.</u>
1965	58,780	-	628,418	-	989,451	-
1966	69,386	(18.0)	702,809	(11.8)	1,094,889	(10.7)
1967	77,614	(11.9)	786,071	(11.8)	1,190,207	(8.7)
1968	87,544	(12.8)	897,530	(14.1)	1,335,444	(12.2)
1969	95,088	(8.6)	994,790	(10.8)	1,470,760	(10.1)
1970	102,361	(7.6)	1,109,988	(11.6)	1,574,145	(7.0)
1971	108,095	(5.6)	1,166,457	(5.1)	1,648,817	(4.7)
1972	110,468	(2.2)	1,192,891	(2.3)	1,653,316	(.3)
1973	117,764	(6.6)	1,302,938	(9.2)	1,813,918	(9.7)
1974 *	126,353	(7.3)	1,459,845	(12.0)	2,013,725	(11.0)

1. Includes murder, manslaughter, rape, robbery, wounding, attempted murder, assaults (not sexual) and other sexual offences.

2. Includes Criminal Code, Federal Statute, Provincial Statute and Municipal By-Law Offences.

\* Preliminary figures.

The preceding table, of course, does not take into account the number of persons involved in the offences shown, nor is it in any way indicative of the rate of crime in various population segments.

The Ministry of Treasury, Economics and Intergovernmental Affairs Report, Social Indicators for Ontario, 1977,

has measured the rate of offences per 100,000 population aged seven years and over and the following chart, reproduced from page 117 of the report, indicates a levelling off in the crime rate in Ontario.

Rate Per 100,000 Population Ages 7 Years and Over

<u>Year</u>	<u>Total Rate</u>	<u>Murder (Incl. Attempted)</u>	<u>Rape</u>	<u>Robbery, Theft Breaking and Entering</u>	<u>Assaults (All Forms)</u>	<u>All Other Offences</u>
1961	3,275	1.9	2.0	2,184	103	984
1966	6,617	1.5	3.0	2,611	339	3,663
1971	9,181	3.3	5.4	4,108	524	4,541
1974	9,367	3.3	5.9	3,792	485	5,081

Ministry officials, in revising their inmate population projections to 1986, have based their new figures partly on the assumption that the levelling off of the crime rate in Ontario will continue. Should there be an increase in the crime rate, however, inmate population forecasts would have to be revised again to reflect such a change.

In Ontario, municipal and Ontario Provincial Police budgets, as the following figures (provided by the Ontario Police Commission) indicate, have almost doubled within five years.

<u>Year</u>	<u>O.P.P.</u>	<u>Municipal</u>	<u>Total</u>
1972	\$ 66,947,000	\$162,356,740	\$229,303,740
1973	\$ 76,577,000	\$185,432,265	\$262,009,265
1974	\$ 84,591,000	\$221,057,815	\$305,648,815
1975	\$ 98,633,000	\$276,636,635	\$375,269,635
1976	\$110,328,000	\$322,277,709	\$432,605,709

In this context, it is interesting to note that in April, 1977, Solicitor-General John MacBeth announced in the Legislature that the Ontario Provincial Police budget would be increased over the earlier-submitted spending estimates.

He said an extra \$1.25 million would be allocated to help the police force fight organized crime through the addition of 50 to 65 officers.

Also in April, 1977, the Metropolitan Toronto Police Commission received initial approval for a 10% budget increase to \$157.2 million. Police Chief Harold Adamson said the increase would allow the force to add 100 uniformed policemen and 22 civilians to the force.

(iii) Remand Inmates

The situation regarding remanded accused has become acute in the last six years. As the following figures show, the number of accused detained in jails or detention centres awaiting bail and/or trial has more than doubled since March 31, 1967.

The remand figures, when compared with the total number incarcerated in Ontario's jails for any reason during the years 1968 to 1977, show that despite the enactment of the Bail Reform Act in 1972, an increasing number of accused are being detained before trial.

<u>TOTAL IN CUSTODY IN YEAR</u>		<u>IN CUSTODY ON REMAND</u>
(To March 31)		
1967	--	605
1968	64,052	999
1969	65,518	786
1970	70,510	787
1971	80,755	747
1972	69,884	564
1973	61,266	843
1974	61,608	751
1975	61,222	980
1976	63,836	1,082
1977	65,550	1,354

With recent changes to the Bail Reform Act, which require an accused, under certain circumstances, to justify his or her release before trial, we anticipate that the numbers on remand will continue to increase.

Besides contributing to the overcrowding problem, remand inmates confront Ministry personnel with a set of unique problems:

- (1) Remand inmates are normally taken from the jail to court on a weekly basis, and, as shown in the detailed section on jail inmate populations,\* the number of transfers in a given week often comes close to the actual inmate population itself. The numerous transfers require correctional officers to prepare inmates for court (showers, clothes change, etc.), then search and re-admit them to the jail or detention centre population on their return.

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\* See "Court Transfers" section - Toronto, Hamilton, Kitchener and Thunder Bay Jails and Niagara, Quinte and Ottawa-Carleton Detention Centres.



- (2) Remand prisoners do not know what disposition the court will make of their cases once they come to trial and they are therefore likely to be more tense than inmates in the same institution who already know that they will be released at the end of a prescribed period of time.

Many of the correctional personnel our Investigators spoke with commented that this uncertainty about the future on the part of remand prisoners makes them restless and causes discipline problems. Since correctional officers are the major physical representation of the entire criminal justice system for remand inmates, they are often the targets for prisoners' frustration. Especially where jail or detention centre overcrowding occurs, with a concomitant lack of standard facilities, activities and staff-inmate communication, the presence of a high percentage of remand prisoners tends to intensify the already built-in tension that exists in almost any jail or detention centre.

- (3) Another factor affecting jails and detention centres which hold remand inmates is the length of time between an accused's incarceration to await trial and the actual trial date. As the section of this report on jails and detention centres shows, there were 187 inmates of 1,271 on remand on October 25, 1976, who had been waiting for more than 8 weeks. Obviously, the longer it takes to bring an accused to trial, the longer he or she will occupy a space in the jail or detention centre (contributing thereby to the overcrowding problem), and the longer both an accused and correctional officers in contact with him or her will be locked into a daily living relationship which has as its over-riding characteristic the uncertainty of the accused's future.

#### (iv) Sentencing

Fourth, the courts are sentencing an ever-increasing number of convicted persons to serve intermittent sentences - a laudable practice which allows many convicted persons to maintain their family, employment and social links with the community - but the influx of these individuals into the corrections system on weekends places an additional strain on facilities which are more often than not already overcrowded.

Intermittent inmates report to various institutions on either Friday night or early Saturday morning to serve their sentences and are released Sunday night or Monday morning.

At an institution such as the Mimico Correctional Centre, this process will usually involve admitting, housing and discharging up to 200 offenders within a 48-hour period.

Each offender serving such a sentence must go through the institution's regular admitting procedure, which includes documentation of the inmate and his property, showering, clothing change, assignment to accommodation, and if necessary, medical examination.

While incarcerated, these additional inmates must be supervised by correctional officers who must also ensure against any breaches of institutional security (such as the smuggling into the facility of contraband), feed them, and, where possible, provide them with work or recreational activities.

Upon discharge, each inmate's clothing and property must be returned to him and all discharge documentation must be completed.

By way of illustrating the numbers involved, Ministry documents show that on October 31, 1975, the Ministry was responsible for 268 intermittent inmates. By January 27, 1977, the Ministry was responsible for 452 intermittent inmates.

Some institutions, because of the overcrowding problem, have been put into the ludicrous position of having to turn intermittent inmates away from their doors because there was no room in the jail.

[One such incident occurred in 1975 at the Toronto Jail when, one weekend, more than 100 intermittent inmates were to serve a weekend sentence at the jail, but, because the jail was already drastically overcrowded, the Superintendent decided that the intermittent inmates could not be accommodated. The inmates were given special weekend Temporary Absence Program passes as a method of ensuring - at least in theory - that they were serving their court-ordered sentences.]

In addition, the courts have also altered their sentencing practices since at least 1968.

The following charts illustrate the changes. The dates used are all as of the fiscal year end of March 31, and all

figures refer only to those who were originally admitted to jail for trial (i.e., only those who were not allowed to remain at large in the community before a judicial disposition had been made - either concerning the granting of bail or concerning the merits of the charges themselves).

Year	Admitted for Trial	OF THOSE CONVICTED		
		Convicted	Imprisoned	Fined, Placed on Probation, Given Suspended Sentences, etc.
1968	61,120	50,596 (83%)	33,062 (65%)	17,534 (34%)
1969	62,057	51,821 (84%)	34,314 (66%)	17,507 (34%)
1970	67,215	55,819 (83%)	37,282 (67%)	18,537 (33%)
1971	76,284	64,434 (84%)	41,868 (65%)	22,566 (35%)
1972	65,664	56,429 (86%)	38,502 (68%)	17,927 (32%)
1973	56,674	51,651 (90%)	39,110 (76%)	12,541 (24%)
1974	56,072	49,374 (88%)	34,333 (70%)	15,041 (30%)
1975	54,721	47,659 (87%)	32,795 (69%)	14,864 (31%)
1976	54,791	47,003 (88%)	31,229 (66%)	15,774 (34%)
1977	59,362	49,729 (84%)	36,889 (74%)	12,840 (26%)

A number of conclusions can be drawn from these figures:

- (1) The numbers of accused admitted to jails for trial has decreased substantially since 1971, although there was a large increase in 1977.
- (2) The overwhelming majority of those accused admitted to jail for trial are found guilty.
- (3) The number and percentage of those found guilty who are sentenced to a term of imprisonment has fluctuated since 1971 although there was a large increase in 1977.

It is also obvious from the preceding chart that the court's sentencing practices are the strongest influence on whether jails, detention centres and other adult institutions are overcrowded. As can be seen, the years 1970, 1971, and 1977 showed a dramatic increase over the previous years in the number of offenders incarcerated.



These fluctuations - which in some cases can mean that the Ministry is compelled to house up to an additional 5,000 inmates annually over the previous year - add greatly to the strain on the province's correctional institutions.

<u>Year</u>	<u>Convicted</u>	<u>Fined</u>	<u>Probation or Susp. Sentence</u>	<u>Total</u>
1968	50,596	12,072 (23.9%)	5,462 (10.8%)	34.7%
1969	51,821	11,926 (23.0%)	5,581 (10.8%)	33.8%
1970	55,819	12,673 (22.7%)	5,864 (10.5%)	33.2%
1971	64,434	16,239 (25.2%)	6,297 ( 9.8%)	35.0%
1972	56,429	12,293 (21.8%)	5,632 ( 9.9%)	31.7%
1973	51,651	9,532 (18.4%)	3,009 ( 5.8%)	24.2%
1974	49,374	12,755 (25.8%)	2,234 ( 4.5%)	30.3%
1975	47,659	12,635 (26.5%)	2,229 ( 4.7%)	30.2%
1976	47,003	14,891 (31.7%)	883 ( 1.9%)	33.6%
1977	49,729	11,712 (23.6%)	1,128 ( 2.3%)	25.8%

For those accused who are admitted to jail for trial and who are convicted but not imprisoned, the vast majority are fined. In recent years, the use of a fine as a penalty has been increasing, while the number of those placed on probation and/or given a suspended sentence has decreased significantly. (Sentencing practices may change in the future if the judiciary gives effect to recent urgings by the Ministry of Correctional Services and the Attorney-General to decrease reliance on imprisonment and instead make use of community service orders which would require an offender to perform work in the community instead of paying a fine or being incarcerated.)

#### (v) Ministry Policy Change

Fifth, the Ministry of Correctional Services instituted a new policy - selectively in 1972 and province-wide in 1975 - whereby those sentenced to terms of imprisonment of up to 90 days would normally serve them in local jails or detention centres. Until then, the practice had been to incarcerate in jails only those who were sentenced to terms of up to 30 days.

Combining the figures for all prisoners in custody (as of March 31) either on remand or serving sentences, it is clear that local jails and detention centres are increasingly serving a function which was once carried out by institutions intended to house sentenced inmates.

<u>Year</u>	<u>Number on Remand</u>	<u>Number Serving Sentences</u>	<u>Total</u>
1968	999	861	1,860
1969	786	990	1,776
1970	787	980	1,767
1971	747	1,217	1,964
1972	564	1,063	1,627
1973	843	1,385	2,228
1974	751	1,296	2,047
1975	980	1,601	2,581
1976	1,082	1,770	2,852
1977	1,354	1,728	3,082

The result of the Ministry's directive concerning the place of incarceration for those sentenced to terms of up to 90 days can be seen from the following figures which also show court sentencing pattern changes:

<u>Year</u>	<u>Number Con- victed and Sentenced to Impri- sonment</u>	<u>Less than 30 days</u>	<u>Per- cent- age</u>	<u>30-59</u>	<u>Per- cent- age</u>	<u>60-89</u>	<u>Per- cent- age</u>
1968	33,062	20,809	62.9%	5,038	15.2%	1,128	3.4%
1969	34,314	21,428	62.4%	5,275	15.4%	1,079	3.1%
1970	37,282	24,253	65.1%	4,763	12.8%	1,080	2.9%
1971	41,868	26,856	64.1%	5,464	13.1%	1,238	3.0%
1972	38,502	24,434	63.5%	5,045	13.1%	1,210	3.1%
1973	39,110	24,755	63.3%	4,322	11.1%	1,189	3.0%
1974	34,333	20,140	58.7%	4,259	12.4%	1,325	3.9%
1975	32,795	18,646	56.9%	4,281	13.1%	1,408	4.3%
1976	31,229	17,889	57.3%	3,938	12.6%	1,234	4.0%
1977	36,889	23,374	63.4%	5,233	14.2%	1,641	4.4%

Until the policy changes, only those sentenced to a term of less than 30 days would remain at a local jail or detention centre, but with the implementation of the new policy, jails and detention centres were directed, where possible, to accommodate up to almost 7,000 additional

inmates annually, all of them for terms between 30 and 90 days.

This policy change, coupled with the increase in the number of remand and intermittent inmates, has contributed to the acute overcrowding problem faced by most jails in Ontario.

A significant reflection of the effect of lengthy remands and an increased number of inmates serving sentences is shown in the average number of days spent by inmates in jails and detention centres. The following figures are all as of the fiscal year end of March 31st.

TOTAL DAYS STAY OF INMATES

<u>Year</u>	<u>Total Days Served</u>	<u>No. of Inmates</u>	<u>Average Stay</u>
1968	711,341	71,811	9.91 days
1969	733,374	71,962	10.19 days
1970	740,991	77,235	9.59 days
1971	798,619	84,769	9.42 days
1972	747,530	72,339	10.33 days
1973	733,503	60,354	12.15 days
1974	770,681	59,422	12.97 days
1975	813,935	57,285	14.21 days
1976	1,002,041	57,914	17.30 days
1977	1,005,682	62,448	16.10 days

The 1972 and 1975 policy change was made at a time when it appeared that other adult institutions (Correctional Centres, Adult Training Centres, etc.) were becoming overcrowded, and this place-of-incarceration change, it was hoped, would relieve population pressures in the system.\*

It was unable to do so.

A comparison of official capacities and actual inmate populations in jails, detention centres, Correctional Centres and Adult Training Centres shows that between October 31, 1975 and January 27, 1977, the relative difference between the two types of institutions has remained almost constant.

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\* Other reasons for the change included inmates' wishes to remain near their homes and families; the perception that such short-term inmates would not have sufficient time to benefit from correctional training centre programs and the better possibility of obtaining a temporary absence program approval if the inmate remained incarcerated in or near to his own community.



<u>Date</u>	<u>JAILS &amp; DETENTION CENTRES</u>			<u>CORRECTIONAL &amp; ADULT TRAINING CENTRES</u>		
	<u>Capa- city</u>	<u>Popula- tion</u>	<u>Over Under</u>	<u>Capa- city</u>	<u>Popula- tion</u>	<u>Over Under</u>
Oct. 31 1975	2,065	2,282	+ 217	2,392	2,054	- 338
Jan. 27, 1977	2,512	2,637	+ 125	2,609	2,325	- 284

(With the opening of three new detention centres since January 27, 1977, the overcrowded conditions in jails and detention centres has improved. Based on official inmate capacities and inmate population figures for July 22, 1977, there were 2,478 inmates in jails and detention centres with a combined capacity of 2,923 inmates. As a result, there were 445 unused spaces at that time. The situation in correctional centres and adult training centres had not changed appreciably.

(It should be kept in mind, however, that inmate figures normally show a decrease during the summer months.)

There is no doubt that had the policy not been instituted, however, severe overcrowding would have hampered those institutions holding inmates for up to two years less a day.

Part of the reason for the policy change not having its full effect lies with the changing pattern of court sentencing in recent years (until 1977) as the following charts clearly show. Again, the charts refer only to those originally admitted to jail for trial and does not include those who were at large in the community until their trial and possible incarceration.

SENTENCES (1)

(All dates are to the fiscal year end of March 31)

<u>Year</u>	<u>Convicted, Sentenced to Imprisonment</u>	<u>3-6 Months</u>	<u>6-12 Months</u>	<u>12-24 months (Less one day)</u>
1968	33,062	1,716 (5.2%)	803 (2.4%)	489 (1.5%)
1969	34,314	1,724 (5.0%)	887 (2.6%)	526 (1.5%)
1970	37,282	1,928 (5.2%)	1,189 (3.2%)	806 (2.2%)
1971	41,868	2,484 (5.9%)	1,451 (3.5%)	1,054 (2.5%)
1972	38,502	2,312 (6.0%)	1,656 (4.3%)	1,286 (3.3%)
1973	39,110	2,310 (5.9%)	1,781 (4.6%)	1,650 (4.2%)
1974	34,333	2,322 (6.8%)	1,735 (5.1%)	1,604 (4.7%)
1975	32,795	2,572 (7.8%)	2,179 (6.6%)	1,829 (5.6%)
1976	31,229	2,434 (7.8%)	2,163 (6.9%)	1,734 (5.6%)
1977	36,889	2,760 (7.5%)	1,645 (4.4%)	995 (2.7%)

SENTENCES (2)

(All dates are to the fiscal year end of March 31)

<u>Year</u>	<u>Convicted, Sentenced to Imprisonment</u>	<u>Indeterminate (Provincial)</u>	<u>Penitentiary (Federal)</u>
1968	33,062	2,124 (6.4%)	955 (2.9%)
1969	34,314	2,303 (6.7%)	1,092 (3.2%)
1970	37,282	2,127 (5.7%)	1,129 (3.0%)
1971	41,868	2,265 (5.4%)	1,056 (2.5%)
1972	38,502	1,523 (4.0%)	1,038 (2.7%)
1973	39,110	2,002 (5.1%)	1,101 (2.8%)
1974	34,333	1,970 (5.7%)	977 (2.8%)
1975	32,795	1,093 (3.3%)	787 (2.4%)
1976	31,229	1,085 (3.5%)	751 (2.4%)
1977	36,889	685 (1.9%)	1,241 (3.4%)

What the two sentencing charts (which, we must point out again, refer only to those who were originally held in custody before trial) show is that:

1. Over the nine years from 1968 to 1976, the total number of convicted persons sentenced to terms of imprisonment has dropped slightly; but,
2. More convicted persons were sentenced to longer terms of imprisonment in 1976 than in 1968; and
3. Fewer convicted persons were sentenced to federal penitentiary terms in 1976 than in 1968.

The consequences of these sentencing changes had a dramatic impact on the provincial correctional system.

To a significant extent, the Ministry's Correctional Centres and Adult Training Centres, although their population situation has doubtless been helped by the incarceration of more short-term prisoners in local jails and detention centres, have been placed in as difficult a situation as before because while they experienced a slight decline in those held in custody during the years 1972-1975, the inmates they are now holding are serving longer sentences, and thereby contributing to the overcrowding problem. The following figures illustrate the situation.

ADULT INSTITUTIONS (excluding jails and detention centres)

<u>Year</u>	<u>Total in Custody in Year</u>	<u>Population at March 31</u>
1972	11,759	2,471
1973	12,369	2,490
1974	10,419	2,155
1975	10,442	2,142
1976	11,090	2,791
1977	12,869	3,055

It should be emphasized that with the exception of the policy regarding place-of-incarceration, (which is essentially a numbers juggling exercise) the Ministry has absolutely no control over the number of inmates for which it is responsible. It is mainly the action of the police and the courts which determine the size of the provincial inmate population.

It also should be noted that although sentencing patterns for those originally held in custody before trial show a marked change during the fiscal year 1976-77, the full effects of this change will not be felt in the correctional



system immediately because of the duration of sentences being served.

It is conceivable, however, that if this most recent pattern continues, and assuming the rate of crime remains steady or decreases because of changes in the age mix of the population, and taking into account the recent expansion of inmate beds in jails and detention centres, that the changed sentencing patterns which developed from 1968 to 1976 shortly will no longer be a factor in determining overcrowding conditions in particular Ministry institutions (i.e. short-term or long-term).

Within the Ministry's institutions themselves, the physical transfer of inmates from one facility to another falls under the jurisdiction of the Provincial Bailiff's Office, which has a staff of 13 plus support personnel. As of June 1, 1977, this department also became responsible for transferring inmates to federal penitentiaries when necessary.

In addition, the bailiff's office also deals with all initial inmate classifications once a convicted person is sentenced to a term of imprisonment in a provincial institution.

Essentially, it is this office which carries out the "numbers juggling exercise" by trying to find available accommodation for jail inmates who have been sentenced to terms of longer than 90 days, a task which is often difficult in light of the differing needs of inmates and the shortage of suitable accommodation in correctional institutions.

The Superintendents of the jails we visited told our Investigators that an average of 10 per cent over capacity was a manageable level of tolerance. Within that framework, most of the provincial jails we visited were observed to be and continue to be seriously overcrowded.

The jail Superintendents we interviewed also told our Investigators that overcrowding was not atypical but was, in fact, increasing yearly.

Our Investigators observed that overcrowding undermines the security of the jails and exacerbates a number of related problems.

#### (vi) Ministry Budget Allocation

In light of increased public expenditure on policing, and, in some instances, on provincial criminal court operations, it is interesting to note how little of the taxpayer's dollar is spent annually on the detention and rehabilitation of the tens of thousands of individuals dealt with by the provincial correctional system. The following figures, all obtained from government publications, illustrate the situation.

<u>Year</u>	<u>Ontario Total</u>	<u>Ont. Total % Incr.</u>	<u>MCS Total</u>	<u>MCS Total % Incr.</u>	<u>% of Ont. Total</u>
1971-2	\$ 5,223,004,000	--	--	--	--
1972-3	\$ 6,481,000,000	24.1%	\$ 72,935,354	--	1.1%
1973-4	\$ 7,302,000,000	12.7%	\$ 86,326,057	18.4%	1.2%
1974-5	\$ 8,821,000,000	20.8%	\$102,237,483	18.4%	1.2%
* 1975-6	\$11,159,473,000	26.5%	\$122,339,224	19.7%	1.1%
* 1976-7	\$11,969,713,000	7.2%	\$127,806,000	4.5%	1.1%

\* Estimated figures only.

It is evident from these figures that:

1. The appropriations made to the Ministry have not kept pace with the percentage increase in total government spending; and
2. Not only is the amount of funds allocated to the Ministry miniscule (compared to the total provincial expenditure), but the Ministry's percentage share of that government expenditure has not increased despite the ever-increasing demands being made on the Ministry as a result of the actions of other public agencies over which the Ministry has no control.

In making our recommendations, we are mindful of the fact that the Ministry of Government Services has been devoting an increasing percentage of its capital expenditure budget to projects under the jurisdiction of the Ministry of Correctional Services, as the following figures show.

<u>Year</u>	<u>Total Capital Expenditure</u>	<u>MCS</u>	<u>Per- cent</u>
1973-74	\$55,107,100	\$10,736,900	19.5%
1974-75	\$59,816,729	\$13,145,000	22.0%
1975-76	\$78,817,200	\$26,757,800	33.9%
1976-77*	\$70,600,000	\$24,400,000	34.6%
1977-78*	\$69,900,000	\$11,400,000	16.3%

\* Estimated figures only.

From these figures, it is obvious that although the Ministry of Correctional Services was allocated a generous

share of the Ministry of Government Services Capital Expenditure budget for the three years from April 1, 1974 through March 31, 1977, its portion of the Ministry of Government Service's budget has been substantially reduced in the estimates for 1977-78. This can have no other effect than to drastically and negatively affect the Ministry of Correctional Service's position regarding the building or renovation of numerous overcrowded and outdated institutions.

We are compelled to observe that with the almost two-fold increase in police spending in Ontario within the past five years, now combined with a reduction in the amount of funds allocated for updating and/or replacing correctional facilities, the Ministry of Correctional Services faces the prospect of being forced to accommodate an ever-increasing number of offenders in ancient and overcrowded institutions.

It appears obvious to us that unless the Ministry of Correctional Services is allocated a more substantial amount of funds for its Capital Expenditure Program (which, until recently, included a number of projects which had already been approved by the Government), the Ministry will be unable to effectively carry out the twin mandate imposed upon it by the Government.

To quote from an information pamphlet distributed by the Provincial Secretariat for Justice:

"The areas of consumer protection, law enforcement, the administration of the courts and the custody and rehabilitation of offenders cannot operate successfully as totally independent segments of the criminal justice scene.

"The aims, objectives, successes and failures of each have an effect upon the others. As a very simple example, to respond to public demand for more police in order to control crime more effectively would be unwise unless additional staff were provided both to the courts and to the prisons to deal with the additional caseloads which would result; again, significant changes in law, e.g., raising the age of criminal responsibility from 16 to 18 would have severe repercussions on all three segments.

"It is therefore essential to examine the field as a whole and be cognizant of the fact that no matter how advantageous it may appear to one Ministry to take certain actions or propose certain changes, those actions or proposals will have an effect upon other segments of the system."

(As this report was being completed, we learned that the Ministry of Government Services had indicated that it would not proceed any further on any Ministry of Correctional Services' capital program projects until correctional



officials had submitted a new accommodation plan to the Cabinet Committee on Justice and to the Management Board. That plan was submitted, but in August, 1977, it was withdrawn for revisions.)

### Effects of Overcrowding

Overcrowding effectively precludes personal privacy. For example, in one of the jails visited, two beds were placed in a cell which was originally designed for one inmate. The only other furnishing consisted of a toilet located immediately between the beds. Thus, when an inmate uses that toilet, he does so directly beside the head of his cell-mate. Such overcrowding adversely affects morale among the inmates and causes restlessness.

Although jails are classified as maximum-security institutions, overcrowding precludes the adequate separation and segregation of the violent, dangerous offenders from first offenders, the young from the old, and all of them from the psychiatric and health cases. When separation is thus limited, the development of an inmate sub-culture, where the more powerful inmates manipulate and exercise control of the others, develops easily and undermines what limited programming exists at the jail.

Our Investigators also observed that jail overcrowding created a situation that might most aptly be described as an administrative nightmare - a constant chaotic state in the daily routines of both staff and inmates. Inmates must continually be prepared for court and reception back at the jail, and upon their return, staff must be made available to complete searches and admission procedures. (In Ontario's largest provincial jail - The Toronto (Don) Jail - this turnover can be as high as 200 per day.)

Meal hours become disrupted and must be lengthened. Visiting schedules are also disrupted and must often be limited. Rehabilitative programs, where they exist, are also adversely affected to the point where they become mere token efforts. Overcrowding was also observed to affect health and fire safety considerations. In several of the jails visited by our staff, inmates were seen sleeping on mattresses or on blankets in corridors and several inmates complained that when they received their bedding it had not been changed from the previous inmate. From the point of view of inmate safety, overcrowding also places an increased strain on institutional staff and equipment such that should a fire or other emergency occur, the evacuation of inmates would be much more difficult and time-consuming than if the jail held its official inmate population.

Finally, overcrowding produces added stress on correctional officers who have difficulty supervising larger numbers than the capacity of the jail. Under these conditions, officers are asked to work overtime, and near the end

of a double shift - that is, after almost 16 hours of continuous work - their efficiency and vigilance becomes impaired. When overcrowding becomes acute, casual (temporary) employees are often called, but many of these lack experience and the more seasoned officers must therefore neglect their assigned duties to assist them. According to several Superintendents, this added stress increases absenteeism among correctional officers, and many correctional officers interviewed told our Investigators that they simply took the next day off after a double shift in order to cope with the frustrations arising out of endemic overcrowding.

In brief, jail overcrowding leads to a multitude of operational problems for correctional staff and inmates alike.

What is most important, however, is that the problems in this initial stage of the correctional system subtly affect every other part of the criminal justice system, usually defined as consisting of the police, courts, correctional institutions and aftercare services.

#### OVERCROWDING - SUMMARY & RECOMMENDATIONS

##### (i) Jails & Detention Centres

Early in our compilation of information for this report, it became apparent to our Investigators and to the Ombudsman that the most pressing problem facing the Ministry of Correctional Services was the overcrowded conditions existing in most provincial correctional facilities.

It was then and is now our view that overcrowding can result in institutional tension and that such tension, in turn, can spill over to affect every facet of institutional life - even to the point of being a direct cause of inmate disturbances. Given the extent of the overcrowding in some institutions during the past few years, it is a remarkable testament to the patience of hundreds of correctional officers, administrators and inmates alike that they have managed to co-exist without such disturbances.

In early 1977, therefore, when we approached the Ministry of Correctional Services to ascertain what plan, if any, existed to alleviate the overcrowding conditions which, at that time, appeared to be growing worse almost daily, we were pleased to find that several new building projects and renovation plans had been approved by the Government's Management Board and that they were in various stages of development.

The fact that the Ombudsman personnel involved in the preparation of this report had independently arrived at decisions concerning the need for more inmate beds in the same locations as those proposed by the Ministry indicated to us that our "outside" study of this problem had addressed itself to the same important considerations taken into account by Ministry planners.

Initially then, under the "Future Building and/or Renovation Plans" section in each institutional description in Chapters two and three, we detailed the Ministry's plans.

After our draft investigative report was made available to the Ministry in June, 1977, the Ministry informed us of its having prepared a new long-term accommodation plan.

This new plan was drawn up in light of the Ministry of Government Services informing the Ministry of Correctional Services that it would not proceed any further on any capital program project until the Corrections Ministry had submitted a new accommodation plan to the Cabinet Committee on Justice and to the Management Board.

The plan, which outlined projected inmate populations throughout the province for the years 1986 through 2001, forecast a need for 3,940 jail/detention centre beds by 1986 and 9,850 beds by 2001.

As of July, 1977, the Ministry had 2,923 such beds.

Because of the Ministry's new long-term accommodation plan - which was based on a 2.7% annual increase in the general population, a 3% annual increase per capita charges for serious crimes and a .6% annual increase in the ratio of jail populations to per capita charges for serious crimes - we then added this latest information under each institutional "Future Building and/or Renovation Plans" section.

In September, 1977, we were informed by the Ministry that the long-term plan had been returned by the Cabinet Committee on Justice to the Ministry for revisions.

A few weeks later, senior Ministry officials informed us that the long-term plan had been revised substantially and that the Ministry was projecting an annual inmate population growth of less than 2% between now and 1986.

The latest projection - as already outlined - is based on a number of factors, including:

- 1) The lowered annual population growth being experienced by the Province. The annual rate has dropped from 2.9% in 1961 to 1.7% in 1974;
- 2) The apparent levelling off of the crime rate in Ontario. The total rate of actual offences per 100,000 population ages 7 years and over was 9,181 in 1971 and 9,367 in 1974;
- 3) The perception that the size of the "at risk" population sub-group (those between 16 and 29 years of age), which resulted from the post-war baby boom, was declining as a percentage of the total population;
- 4) The perception that there would be no substantial shift in the participation in offences by age groups;



- 5) The perception that increased use of diversionary police and/or court practices would decrease the need for inmate beds;
- 6) The perception that increased use of temporary absence programs through community resource centres would decrease the need for inmate beds;
- 7) The uncertainty about what effects, if any, would result from proposed changes to the Criminal Code (federal) and the Summary Convictions Act (Ontario).

The lowered projection rate of less than a 2% annual inmate growth from now until 1986 was also predicated on the most recent growth in institutional populations.

Ministry officials informed us that jails and detention centres experienced a 22% growth in inmate population in 1975-76 over the previous year. During 1976-77, however, the growth over the previous year was only 4% and during the first quarter of the 1977-78 fiscal year the growth was only 1% compared to the previous year.

Based on the above-mentioned factors, the Ministry is currently projecting that, by 1986, it will require 3,044 inmate beds in jails and detention centres. The Ministry now has 2,923 inmate spaces.

Currently, the Ministry has plans to build (1) a 500-bed detention centre in South Metro Toronto which will (by 1982 or 1983) require that only 200 inmates be housed at the 1955 section of the Toronto (Don) Jail; (2) a new detention centre to replace the Barrie Jail; (3) a 160-bed detention centre to replace the Milton Jail; (4) a 140-bed detention centre to replace the Peterborough Jail; (5) a 160-bed detention centre to replace the Sault Ste. Marie Jail; (6) a 200-bed detention centre to replace the Sudbury Jail; and (7) a 100-bed addition to the Whitby Jail.

These projects have been approved by the Management Board to proceed to the design stage.

In making our institutional building recommendations, we have been guided by the latest information available from Ministry researchers and planners and, for the most part, they exactly reflect the Ministry's current projects.

However, we would be remiss if we did not comment on our very deep concerns about the Ministry's current inmate population projections - not necessarily because we have any grounds to dispute the figures arrived at or the factors involved in their computation, but because they appear to be the third set of projections put forth within a short period of time.

As one senior Ministry official commented when the latest figures were presented to us, forecasting inmate

populations is not only extremely difficult but is more like an art than a science.

Given that situation, the Ombudsman's Office along with correctional workers, administrators, inmates and the public can only hope that the most recent lowered inmate growth trend will continue, because if a reverse of the most recent trend occurs, it is our view that the Ministry will be faced with an almost insurmountable problem in accommodating increasing numbers of inmates.

Simply put, the Ministry's institutions are and have been straining for some years to cope with a massive influx of inmates and it is unlikely that any appreciable new spaces will open up in the system before at least late 1982 or early 1983.

If the Ministry's latest inmate population projections prove correct and if the current building replacement plans proceed to fruition, there should be sufficient space available to allow the Ministry the flexibility it requires to tailor inmate needs to program space.

But if projections prove incorrect and/or if the current building projects do not proceed, the Ministry can look forward to a worsening of the current overcrowding problem.

If that occurs, then the Ministry will be unable to carry out the duties imposed upon it, more and more inmates will continue to be warehoused instead of rehabilitated, and the long-term public interest will not be served.

It is because of the historic uncertainty which surrounds inmate population forecasting that we urge the Ministry to closely monitor inmate population figures and outside-Ministry factors which may affect future inmate population growth with a view to revising them as often as necessary so as to be able to provide the province with a correctional system which is at least given the chance to carry out its important responsibilities.

It is in the context of the above comments, therefore, that:

1. WE RECOMMEND THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO ACT AS QUICKLY AS POSSIBLE TO:
  - (a) PROCEED WITH BUILDING AND RENOVATION PROJECTS TO EXPAND, WHERE NECESSARY, THE CAPACITIES OF JAILS, AND DETENTION CENTRES, WITH PARTICULAR ATTENTION TO:
    - TORONTO JAIL RENOVATIONS:
    - TORONTO SOUTH DETENTION CENTRE CONSTRUCTION;
    - BARRIE, MILTON, LINDSAY, COBOURG, PETERBOROUGH, SAULT STE. MARIE AND SUDBURY JAIL REPLACEMENTS; AND
    - KENORA AND WHITBY JAIL ADDITIONS.

- (b) APPROVE NEW PLANS, WHERE NECESSARY, FOR THE REPLACEMENT OF OUTDATED JAILS;
  - (c) PROCEED WITH CONSTRUCTION PROJECTS AS OUTLINED IN THE NEW PLANS;
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As previously mentioned, the Ministry altered its policy regarding the transfer of sentenced inmates from jails and detention centres to correctional and training centres in 1972 and 1975. The present policy states that every inmate, sentenced to a 90-day term of imprisonment or less, may serve the incarcerated period in a jail or detention centre. (Because of overcrowding in some correctional centres, it is often the case that inmates, even if they wished to serve their sentences there, are required to remain in local jails or detention centres.) This policy causes an increase of almost 7,000 inmates annually to be housed in jails and detention centres. We feel this is a serious burden for the administrators and correctional staff, as well as the inmates, since many of these facilities were not designed to incarcerate long-term offenders.

The overall impact of such overcrowding has already been discussed in full, especially its detrimental effect on the morale of administrators, correctional staff and inmates. Daily procedures and programs must be altered in order to accommodate large inmate populations, and rehabilitation programs suffer during periods of overcrowding. This group of long-term inmates may also create a higher number of security-risk situations which could directly affect the institution.

We feel that the current policy negatively affects almost every aspect of institutional life, and therefore,

2. WE RECOMMEND THAT THE MINISTRY REVIEW ITS PRESENT POLICY REGARDING ALLOWING INMATES SERVING SENTENCES OF UP TO 90 DAYS TO DO SO IN JAILS AND DETENTION CENTRES. INMATES SERVING SENTENCES OF 30 - 90 DAYS SHOULD BE TRANSFERRED TO A CORRECTIONAL CENTRE UNLESS:

- a) THE INMATE REQUESTS TO REMAIN IN THE LOCAL FACILITY FOR REHABILITATIVE PURPOSES; AND
  - b) THE LOCAL FACILITY IS NOT OVERCROWDED.
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The Provincial Bailiff and his support staff authorize the transfer of inmates from one Provincial correctional facility to another, as well as transfers to federal institutions.

This function is complicated by (i) the sheer number of inmates who are involved in such transfers; (ii) the requirement to transfer each inmate to an institution which has an atmosphere and program suitable for the inmate's needs; and (iii) the difficulties in having to work with a deficit of bed space in many correctional facilities. To better enable the Provincial Bailiff and his staff to be aware of all inmates requiring transfers,

3. WE RECOMMEND THAT TO SERVE AS AN ADDITIONAL CONTROL OVER THE DELAYS IN THE TRANSFER OF SENTENCED INMATES WHO ARE SCHEDULED TO BE MOVED TO CORRECTIONAL CENTRES OR FEDERAL PENITENTIARIES, THE CLERK OF RECORDS IN EACH LOCAL FACILITY SHOULD FORWARD, ON A BI-WEEKLY BASIS, A LISTING OF ALL SUCH INMATES' NAMES TO THE CHIEF PROVINCIAL BAILIFF SO AS TO CONSTANTLY INFORM THAT OFFICE OF INMATES REQUIRING TRANSFER.

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As this report has already pointed out, police and court actions have a significant impact on Ontario's correctional institutions. This fact is already known to Government officials as was indicated when we quoted from a Justice Secretariat information pamphlet which said, in part,

"The aims, objectives, successes and failures of each (component of the justice system) have an effect on the others."

Despite this statement, however, our observations have led us to conclude that there is a pressing need for a formalized opportunity for the several parts of what is called the 'criminal justice system' to come together at regular intervals to discuss problems of mutual concern.

Since this report deals with correctional institutions, it is understandable that we have approached the problem of how to formalize such meetings in the context of their aiding the Ministry of Correctional Services with its day-to-day operating difficulties - many of which arise because of inmate overcrowding. We feel sure, however, that such contacts between those involved in the criminal justice system will enable all participants to improve their procedures.

Given that the Ministry is powerless, on its own, to effect changes in the size of the inmate population it must

house, and given also that there are not now formalized opportunities for officials of the Ministry to meet and discuss their problems with officials representing other components of the criminal justice system, the Office of the Ombudsman felt that an effort should be made through the following two recommendations to encourage the establishment of such a structure.

It is our view that Ontario will be unable to claim that it operates an integrated criminal justice system until all components of that system meet regularly to discuss, debate and attempt to resolve the problems which beset the system and which impact on the various parts of the system in different ways.

The multiple arms of the justice system have been flailing around in a disorganized fashion - more often than not at cross-purposes with each other. Prison terms imposed where some other disposition would suffice; intermittent sentences ordered in ignorance of the chaos they sometimes produce; remands where the accused longs to be tried, or remands that involve offenders who are disruptive influences in jails and detention centres - all these and other factors combine to produce a state of affairs which has caused and continues to cause many problems for the Ministry.

The remedy is for the various arms of the justice system to act in unison, in awareness of what each arm is doing or is attempting to accomplish.

We propose that officials of the Ministry of Correctional Services, the Ministry of the Attorney-General, the Ministry of the Solicitor-General, the Ontario Board of Parole,\* members of the Provincial and County Courts, the Ontario Legal Aid Plan, the Law Society of Upper Canada, the Criminal Lawyer's Association and, where appropriate, federal crown prosecutors meet monthly to review inmate overcrowding problems affecting the Ministry of Correctional Services.

At the same time, we propose that local bodies - which would include members of local police forces as well as Members of the Provincial Parliament - meet regularly to discuss the same problems.

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\* We hope that the Ontario Board of Parole will take an active part in the proposed Provincial Advisory Committee (Recommendation #5) with a view to helping to alleviate, where possible, the Ministry's overcrowding problems.

The Board cannot, of course, stray from its clear duty to protect society when it considers inmates for parole, but we feel that its closer involvement with other parts of the criminal justice system will enable it to allow more inmates to serve a portion of their sentences on parole in the community.

It is our view that local advisory boards should be established wherever a Ministry jail, detention centre or adult institution exists and that officials of the different components of the criminal justice system should meet regularly to ensure that their local problems (and possible solutions) are fully discussed and reported upon to the proposed Provincial Advisory Committee.

We feel the inclusion of M.P.P.'s on these local committees will encourage them to become more familiar with the difficulties affecting the Ministry of Correctional Services as well as other parts of the justice system and this knowledge will enable them to more competently discuss - at the Legislative level - issues of importance not only to their own constituencies but to the entire correctional system as well.

In our opinion, those participating in the proposed local and provincial committees should do so as part of their on-going and regular functions within the criminal justice system. In that case, there would be no additional salary expenditures made to those sitting on the committees who would serve without remuneration with a sense of public duty.

We must emphasize, however, that we hope that these groups, once they have come to an understanding of how their different components affect the Ministry and have offered suggestions to help remedy the problem, will expand their discussion to take in all aspects of the Province's justice system.

It is our hope that, with the establishment of such on-going discussions, all those involved in the criminal justice system will become fully aware of how the actions of one component of the system can affect the others. Once that type of understanding is reached, we would expect that the activities of the police, the Crowns, the defence bar, the judiciary, and correctional, probation and parole authorities would show positive improvement in the handling of our criminal offenders.

In the context of these remarks,

4. WE RECOMMEND THAT THE MINISTRY IMMEDIATELY COORDINATE THE ESTABLISHMENT OF AN ON-GOING PROVINCIAL ADVISORY COMMITTEE CONSISTING OF SENIOR MEMBERS OF:

- (A) THE PROVINCIAL SECRETARIAT FOR JUSTICE;
- (B) THE MINISTRY OF CORRECTIONAL SERVICES;
- (C) ONTARIO BOARD OF PAROLE;
- (D) THE MINISTRY OF THE SOLICITOR-GENERAL;



- (E) THE MINISTRY OF THE ATTORNEY-GENERAL;
- (F) THE BENCH OF THE PROVINCIAL CRIMINAL COURTS;
- (G) THE BENCH OF THE COUNTY COURT;
- (H) THE ONTARIO LEGAL AID PLAN;
- (I) THE LAW SOCIETY OF UPPER CANADA;
- (J) MEMBER OF THE CRIMINAL LAWYER'S ASSOCIATION; AND
- (K) WHERE APPROPRIATE, FEDERAL CROWN PROSECUTORS UNDER THE JURISDICTION OF THE MINISTER OF JUSTICE,

TO REVIEW, ON A MONTHLY BASIS, THE MINISTRY OF CORRECTIONAL SERVICES' PROBLEMS, IF ANY, WITH REGARD TO OVERCROWDING IN THE PROVINCIAL CORRECTIONAL SYSTEM AND TO MAKE APPROPRIATE RECOMMENDATIONS TO THE PROVINCIAL SECRETARIAT FOR JUSTICE TO ALLEVIATE THE PROBLEMS.

5. WE RECOMMEND THAT THE MINISTRY IMMEDIATELY COORDINATE THE ESTABLISHMENT OF AN ON-GOING ADVISORY COMMITTEE IN EACH LOCALE WHERE A JAIL OR DETENTION CENTRE EXISTS CONSISTING OF MEMBERS OF THE MINISTRY OF CORRECTIONAL SERVICES, THE JUDICIARY, THE CROWN ATTORNEY'S OFFICE, THE DEFENCE BAR, THE ONTARIO LEGAL AID PLAN, MUNICIPAL AND/OR ONTARIO PROVINCIAL POLICE AND LOCAL MEMBERS OF THE LEGISLATIVE ASSEMBLY TO REVIEW OVERCROWDING PROBLEMS, IF ANY, AFFECTING LOCAL MINISTRY OF CORRECTIONAL SERVICES FACILITIES AND TO REPORT TO AND MAKE APPROPRIATE RECOMMENDATIONS TO THE PROVINCIAL ADVISORY COMMITTEE TO ALLEVIATE THE PROBLEMS.

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We have already dealt in detail with the problems associated with remand inmates in Ontario's jails and detention centres, and although we have expressed our concern with problems brought about through inmate overcrowding, and although we have pointed out how the numbers of remand inmates contribute to these problems, we are also very concerned about the frustration and tension engendered by lengthy remands.

Remand inmates, in most cases, live with daily anxiety. They wonder about the possibility of raising bail, about when their trial will be held, about whether their families are weathering life safely without them, about the loss of their jobs, about their day in court and about the possibility they will be found guilty and sent to a long-term institution.

Yet, to a great extent, the remand inmate's life behind bars while he awaits a disposition of the charge(s) against him is very similar to that of an already-convicted inmate. Without having gone through the formality of a trial, he is treated as if he were guilty and had been sentenced.

Certainly, it has been our experience during the past two years that about the only difference between a remand and a sentenced inmate is the remand inmate's weekly appearance in court.

This event has almost developed into a ceremony in most institutions due to the procedures required and the numbers of inmates who journey back and forth from the jail or detention centre to the court each week. When one takes into account the extra work that remand inmate court appearances cause - showers, clothes changes, release for transportation and re-entry - it is apparent that the higher the number of remand inmates in an institution, the more they contribute to disruptions of the facility's routine.

On October 25, 1976, for example, 369 of the 652 prisoners who were being held in the Toronto Jail were remand inmates, and it requires very little imagination to comprehend the logistics involved in preparing and re-admitting such a large number of inmates when court appearances are necessary.

But remand inmates do not just tax the resources of the personnel in the institutions in which they are held. In addition, local police forces throughout the Province are involved almost daily in transporting the inmates to the court, guarding them while they make their appearance, then transporting them back to the jail or detention centre from which they originally came.

We feel that steps should be taken immediately to attempt to reduce the large numbers of remand inmates in Ontario's jails and detention centres. Our recommendation below offers suggestions in this regard, but we wish to stress that section (b) of the recommendation appears to offer, in our view, a sensible method of eliminating many of the problems associated with remand inmates - especially in jails and detention centres with large remand inmate populations such as the Toronto Jail and the Ottawa-Carleton Detention Centre and other institutions which serve a large catchment area, such as the Quinte and Niagara Detention Centres.

It is our view that the establishment of mini-courts in these facilities would not only serve the ends of justice just as well as if the inmates were transported to a regular court facility but would also eliminate the costly and disruptive procedures currently in use to ensure an inmate's attendance in court.

Such mini-courts would, of course, be located within the confines of the jails and detention centres so as to

ensure proper security but they would also be established in such a way so as to preserve the openness associated with regular courts. In other words, the proposed mini-courts would be accessible to both the public and the media.

Of course, remanded inmates would preserve their traditional right to counsel and other rights in such mini-court remand procedures.

With these comments in mind, therefore,

6. WE RECOMMEND THAT THE JUSTICE POLICY SECRETARIAT REVIEW THE EXISTING SYSTEM OF COURT REMANDED PRISONERS WITH A VIEW TO MAKING SPECIFIC RECOMMENDATIONS TO CHANGE CURRENT PROCEDURES IN AN EFFORT TO EXPEDITE THE TRIAL OF THESE PRISONERS. POSSIBLE CONSIDERATIONS COULD INCLUDE:
    - a) THE EXTENSION OF COURT HOURS; AND
    - b) THE ESTABLISHMENT OF MINI-COURTS WITHIN JAILS AND DETENTION CENTRES TO DEAL WITH REMAND INMATES.
  7. WE RECOMMEND THAT THE MINISTRY OF THE ATTORNEY-GENERAL REVIEW THE SERIOUS PROBLEMS CREATED IN THE MINISTRY OF CORRECTIONAL SERVICES BY THE INCREASING NUMBER OF REMAND PRISONERS AWAITING TRIAL. WE SUGGEST THAT AN EXTENSION IN THE COURT HOURS AND AN INCREASE IN THE NUMBER OF PROVINCIAL COURT JUDGES (TO MEET THE DEMANDS OF EXTENDED COURT HOURS) BE CONSIDERED IN ORDER TO EXPEDITE THE TRIALS OF ACCUSED PERSONS HELD IN CUSTODY.
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Because of the increasing numbers of remand inmates and in light of the lengthy time which some inmates spend on remand before trial, we urge that any time spent by an individual on remand be taken into consideration by the sentencing judge at the time of imposing sentence should the remand inmate be found guilty of the charges against him and be sentenced to a term of imprisonment.

In our view, remand inmates have a right to expect time spend in custody prior to trial to be credited to the total sentence imposed and we feel that the adoption of the following recommendation will result in the alleviation of some frustration and tension currently experienced by remand inmates - frustration and tension which can easily spill over and negatively affect the day-to-day operations of the facilities where they are held.

8. WE RECOMMEND:
  - A) THAT THE ATTORNEY-GENERAL RECOMMEND TO THE FEDERAL GOVERNMENT AN AMENDMENT TO SECTION



649(2.1) OF THE CANADIAN CRIMINAL CODE TO PROVIDE THAT THE TIME SPENT BY AN ACCUSED IN CUSTODY PRIOR TO TRIAL, OR THE TIME SPENT BY A CONVICTED PERSON AFTER TRIAL BUT BEFORE SENTENCING, SHALL BE CREDITED TO HIM OR HER UPON SENTENCING; AND

- B) THAT IN THE MEANTIME, THE ATTORNEY-GENERAL URGE ALL JUDGES IN ONTARIO'S CRIMINAL COURTS TO TAKE INTO ACCOUNT TIME SERVED BY REMANDED INMATES WHEN IMPOSING SENTENCES AND TO MAKE THIS FACT CLEAR TO THE OFFENDER AT THE TIME SENTENCE IS IMPOSED.

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(ii) Correctional & Adult Training Centres

Although our detailed chapter on Adult Institutions (other than jails and detention centres) indicates no immediate overcrowding problem, it is evident that many institutions are operating near or at their official capacity.

ALL ADULT INSTITUTIONS

<u>Date</u>	<u>Official Capacity</u>	<u>Inmate Population</u>	<u>+/-</u>
October 31, 1975	2,392	2,054	-338
January 27, 1977	2,609	2,325	-284
July 22, 1977	2,609	2,228	-381

(Correctional and Adult Training Centres only.)

SELECTED ADULT INSTITUTIONS\*

<u>Institution</u>	<u>Official Capacity</u>	<u>Inmate Population</u>	<u>+/-</u>
Burtch C.C.	252	221	- 31
Guelph C.C.	497	489	- 8
Maplehurst C.C. & A.T.C.	400	394	- 6
Millbrook C.C.	234	177	- 57
Mimico C.C.	331	210**	-131
Rideau C.C.	220	210	- 10
Thunder Bay C.C. & A.T.C.	140	129	- 11
Vanier C.C.	120	58	- 62

\* All figures are as of January 27, 1977.

\*\* Mimico C.C. admits up to 200 intermittent inmates on weekends.

Although it may appear that most Ontario Correctional Centres and Adult Training Centres are on the verge of experiencing overcrowding problems, which would seriously affect the Ministry's ability to fulfill its twin mandate of detaining and rehabilitating offenders (since there are no existing plans to increase the total official capacity of Correctional Centres and/or Adult Training Centres), Ministry planners have informed us that their projections call for a slackening in demand for inmate space.

According to the latest inmate population forecasts, the Ministry, which now has 2,609 inmate beds in its correctional and training centres, expects to require about 2,600 such spaces by 1986.

With respect to correctional centres and training centres, the Ministry informed us that the comparative growth figures for the fiscal years 1975-76, 1976-77 and 1977-78 were 15%, 9% and 4% respectively.

This latest projection is based on the factors previously mentioned and it is on the basis of the most recent figures that the Ombudsman has refrained from recommending the construction of new correctional or training centre institutions which would have been the case had the new forecast not been made available.

As we have already stated, however, inmate population projections are historically hazardous and we urge the Ministry to closely monitor its inmate population figures for correctional and training centres so that, if the need arises, immediate plans can be made to provide for new construction or additions to existing facilities to ensure that inmates will not be overcrowded.

We feel that overcrowding, as deplorable as it is in jails and/or detention centres, has worse long-term effects when it exists and persists in institutions housing inmates who are serving lengthy sentences. Such facilities are designed, in theory, to rehabilitate offenders for their eventual return to society and it has been our Investigators' observation that overcrowding effectively precludes the possibility of either proper inmate classification, segregation, and protection or participation in programs designed to equip inmates for the day when they must try once again to survive as law-abiding citizens "on the street".

While we recognize the need for current restraints on government spending, we must emphasize that without the required flexibility being available to allow the Ministry to properly classify inmates and involve them in programs which might assist in their re-adjustment to society, neither the Government nor the public can expect any improvement in the Ministry's ability to "rehabilitate" offenders.

Current Ministry inmate population trends indicate that the rate of population growth in its correctional and adult training centres will be about two per cent annually and, if the trend continues, there is no need at this time to spend millions of dollars on new facilities. However, we feel it is necessary to plan and complete renovations to existing institutions to equip them better for the purpose for which they were established - to 'correct' and to 'train.'

Thus, while we are making no recommendations for the construction at this time of new correctional or training centres,

9. WE RECOMMEND THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO PROCEED WITH THE DRAWING OF PLANS FOR RENOVATIONS AND/OR ADDITIONS TO EXISTING CORRECTIONAL CENTRES AND/OR ADULT TRAINING CENTRES, WHERE NEEDED; AND
  10. WE RECOMMEND THAT UPON COMPLETION OF THESE PLANS, THE MINISTRY SEEK GOVERNMENT APPROVAL TO IMPLEMENT THE REQUIRED CONSTRUCTION AND/OR RENOVATIONS AS QUICKLY AS POSSIBLE.
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## COST OF RECOMMENDATIONS

In Chapter Two of this report, the Ombudsman recommended the construction of new detention centres or additions to existing jails worth (in 1977 dollars) \$88.2 million. The effect on inmate bed-space, if all these recommendations were to be implemented, would be to increase the number of beds by 957 (taking into account that some old jails would close).

It should be borne in mind that with the exception of the proposed addition to the Kenora Jail, all the recommended construction has already received preliminary approval by the Government's Management Board and the Ministry forecasts that the new facilities will be available in late 1982 or early 1983. Most projects are currently in the design stage.

A large portion of the expected expenditure will go towards building a 500-bed \$35 million detention centre in Metro Toronto South on the grounds of the Mimico Correctional Centre.

The Ombudsman has not estimated the cost of renovating those jails and correctional and training centres which may require such work.

In making his projections, the Ombudsman has used a cost figure of \$80,000 per inmate bed, the same figure used by Ministry officials. Although Ministry planners hope to reduce this cost to about \$55,000 per inmate bed, we believe that if inflationary forces continue, the cost (assuming completion dates in late 1982 or early 1983) would not be substantially reduced.

The annual increase in operating costs - which would be phased in as construction projects were completed - would be about \$20 million, with most of that amount going to staff salaries.

Obviously, if the Ministry's latest projected 1986 inmate population figures are exceeded, it may be necessary to embark on a much more comprehensive and costly expansion program and it is for this reason that the Ombudsman again urges the Ministry to closely monitor inmate population trends in case new population pressures require the Ministry to expand its capital building program.

## COMMUNITY RESOURCE CENTRES

### Current Philosophy and Operation

In July, 1974, the Ministry opened the first of 20 Community Resource Centres now in existence across the province.

The concept of C.R.C.'s grew out of the success of the Ministry's Temporary Absence Program (T.A.P.) as well as the Ministry's experience with Group Homes for juveniles.

In both cases, offenders had illustrated that with proper screening and adequate community supervision, they were able to function without incident in the community, and the Ministry took the lessons it had learned in those successful programs and applied them to its desire to ensure that as many sentenced offenders as possible were able to maintain their links with the community to which they would soon return.

According to figures contained in the Ministry's Annual Reports (1972-1976) regarding sentences being served by inmates in provincial institutions,

42% are released after 1 month  
50.7% are released after 2 months  
53.2% are released after 3 months  
58% are released after 6 months, and  
61.7% are released after 12 months.

Norval Morris, Dean of Law, University of Chicago, in his book, The Future of Imprisonment, states,

"The principle of graduated testing of his ability to adapt to increased increments of freedom thus makes sense for him and for many prisoners. For our sake, as well as for the convicted prisoner's, we must extend to him increments of increased freedom prior to his release on parole. He must satisfy himself as well as us that he can go out from prison and live for 72 hours or so on furlough without a crime and return to prison. Then, he is ready to take the next step - which may be a work or education release program or period out to seek employment, or a pre-release hostel placement and so on."

This statement received full support from the Honourable G. Arthur Martin, Justice of the Supreme Court of Ontario, when he stated to the John Howard Society of Ontario on May 7, 1975:

"Where a sentence of imprisonment has been passed upon an offender because it was necessary to separate him from the community for its protection, the logic of the graduated release from complete custody through various stages to ultimate release is unassailable. In this way, the offender's capacity to handle freedom is continually tested and gradually enlarged as ultimate release approaches. There is some risk in everything that we do, obviously greater

risks are justified in the case of non-violent offenders.... The establishment of community correctional or resource centres where prisoners prior to their parole dates are allowed to live in controlled residential settings in the community while they establish vocational and social ties are an integral part of all graduated release programs."

The advantages of community resource centres as alternatives to conventional forms of imprisonment would appear to be compelling. As outlined in the Report of the Task Force on Community-Based Residential Centres, Page 34,

"In general, they are smaller, more visible to the public, less expensive to operate, and they do not require capital construction costs as high as those in prisons. In addition, if residents are well selected, C.R.C.'s can be introduced without substantially increasing the risk to the community. The question of risk cannot be ignored. It is obvious that while an offender is incarcerated, the opportunity to commit other offences in the community is non-existent. Nevertheless, more than 90 per cent of incarcerated offenders are released to the community within 2 years, and the question remains whether the risk to the community is greater or smaller after their incarceration than before. We submit that it is likely to be greater. In our opinion, therefore, it seems logical that a high priority should be placed on the development of alternatives to imprisonment. At the same time, it is essential to select as candidates for C.R.C.'s offenders who do not display a high propensity for violence and for continuing in predatory conduct."

We are in full support of the recommendations contained in the Federal Task Force Report on C.R.C.'s. We also support the manner in which the Ministry of Correctional Services operates its system of community resource centres.

We have found that those who are involved in transferring inmates from institutions to such centres have adopted a responsible attitude with regards to the C.R.C. system.

We have chosen to briefly illustrate some of the procedures and policies which govern the Provincial system since many people worry about the early release of inmates into the community. We feel this apprehension may be lessened if more knowledge of how the C.R.C. system operates is made available.



An inmate, of his own volition or at the suggestion of a correctional officer, may apply for entry to the community resource centre program through the institution's assessment committee. This application indicates the C.R.C. which the inmate would like to be transferred to and whether he already has made tentative arrangements for employment or upgrading of his academic standing. The inmate must also express what value he feels the particular C.R.C. will have for him if he is transferred.

The Assessment Committee then reviews the inmate's application, as well as his institutional progress and criminal history. Offenders who have committed crimes of violence, arson or sexual assaults are not considered for transfer to a C.R.C. If the inmate has outstanding charges pending, he will not be transferred until these have been dealt with. The Assessment Committee is very careful in the selection since the institution is still legally responsible for the inmate even though he may have been transferred to a C.R.C.

Currently, the centres are located in both rural and urban settings and programs exist for both men and women as well as specific programs for Native offenders. The residence usually holds between 6 and 15 inmates. If the resident is gainfully employed, he pays a maximum of \$35 per week for room and board. If he is working, the resident helps to support his family and thereby relieves all or part of the financial burden often placed on municipal or Provincial welfare programs. Furthermore, the resident may be involved in a restitution program and may be paying a set amount of money to the victim of his crime.

The C.R.C. is in keeping with the dual goals of the Ministry since the residents are well supervised and yet are receiving a great deal of re-adjustment assistance during this most crucial period - the time between release from the institution and fitting back into society with some type of realistic planning. The C.R.C. allows the resident to seek employment or academic upgrading and to become involved in either without the pressure of not having food, clothing or shelter.

The C.R.C. also attempts to involve community agencies, groups and businesses in its operations by asking them to assist residents in finding employment.

The residents return each evening to the C.R.C. after work or classes and all share in the centre's chores and meals. The C.R.C. staff rely upon positive peer pressure to keep the centre running smoothly and programs are structured to help the residents learn to cope with their new-found freedom. Programs such as group discussions, individual counselling, Alcoholics Anonymous, and others are available.

Since the resident is still the legal responsibility of the Superintendent of the parent institution, he must file

for weekend leave with both the C.R.C. staff and the correctional institution should he wish to test his ability to handle additional freedom in the community.

We have found the C.R.C. program and its operation to be exemplary and we encourage expansions of the program so that more inmates may benefit from this community-based correctional program. \*

The "Manual of Correctional Standards," 1967, published by the American Corrections Association, referring to state institutions (which accept inmates sentenced to one year or more), made the following estimate of the number of such low risk inmates involved:

"If a prison system maintains an adequate program of classification, it is possible to maintain approximately one third of an unselected prison population in open or minimum security institutions or facilities."

In Ontario, on any given day, this might mean a number in excess of 1,500 inmates.

On July 21, 1977, there were 234 offenders serving their sentences in C.R.C.'s - slightly less than 4% of all inmates serving sentences that day.

During our surveys of adult institutions, we asked jail Superintendents how many inmates they perceived could be classified as either suitable C.R.C. candidates or those requiring only minimum-security settings.

The results showed that of 1,633 inmates so considered, the Superintendents felt that 386 could be classified to a C.R.C. or a minimum-security facility.

These figures indicate that more than 20% of the offenders in provincial maximum-security jails would be characterized as minimum-security risks by jail Superintendents, and, according to most institutional officials, about one-half of that number could be housed in a C.R.C. at no danger to the public. In other words, close to 200 additional offenders could safely be housed in C.R.C.'s and thereby reduce population pressure on the Ministry's correctional institutions.

#### COMMUNITY RESOURCE CENTRES - SUMMARY AND RECOMMENDATIONS

Aside from their lower operating costs, there are other advantages derived from the use of Community Resource Centres.

First, they do not require the use of Ministry of Correctional Services personnel for staffing and supervision. In fact, it appears preferable to use personnel from community service agencies (such as the Salvation Army,

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\* The Ministry's outline of its C.R.C. program is contained in Appendix "G".

the Elizabeth Fry Society, the John Howard Society and the St. Leonard's Society) as they are committed to a community orientation as opposed to custodial supervision and they have a greater familiarity in using community resources. An added advantage is their flexibility of working hours.

In addition, several jail Superintendents and correctional officers sitting as members of local Temporary Absence Programme Committees stated to our Investigators that the number of inmates that could be placed on Temporary Absence Programmes would double and even triple at their institution if an adequate number of community resource centres were available to serve their jail.

In light of most jail Superintendents' perception that about 10% of the jail population could safely be placed in C.R.C.'s, which, as of July 21, 1977, would mean an additional 260 inmates would be on the program, and in accordance with the Deputy Minister's statement contained in the Ministry's Annual Report, 1975, that: "...community programs are the most effective means of dealing with many offenders," and that, "...further provision of alternatives to the costly traditional institutional management of both juvenile and adult offenders" should continue to be the thrust of the Ministry's new programs,

11. WE RECOMMEND THAT THE MINISTRY ACCELERATE THE ESTABLISHMENT OF COMMUNITY RESOURCE CENTRES FOR APPROPRIATE MINIMUM-SECURITY INMATES, ESPECIALLY IN:

- BARRIE
- BRAMPTON
- CORNWALL
- HAMILTON
- KENORA
- KITCHENER
- TORONTO (2)
- OTTAWA
- MILTON

#### COST OF RECOMMENDATION

Ministry personnel responsible for operating the Province's C.R.C. system inform us that the establishment of a centre requires that it be able to maintain an inmate occupancy level of 10.

Given that there are no capital construction costs associated with beginning a C.R.C., there would be only annual operating costs involved in the establishment of the 11 additional C.R.C.'s we have recommended.

Ministry officials have informed us that it costs about \$10,000 per year to operate each C.R.C. inmate space and on



the basis of that figure, the annual cost of our recommendation would be \$1.1 million, or less than 1% of the Ministry's current annual budget of \$127,806,000.

On the basis of placing more inmates in C.R.C.'s as opposed to housing them in jails, detention centres, or other adult institutions - where it costs about \$14,000\* per year to maintain one inmate - the Ministry would eventually benefit from lower operating costs.

#### INSTITUTIONAL STAFFING

##### Correctional Officers

Front-line correctional officers (C.O. 1, C.O. 2) in provincial adult institutions are now required to have a minimum Grade XII educational level before being considered for either full-time or temporary employment by the Ministry.

Before January, 1975, when the new minimum came into effect, the required standard was a Grade VIII education, but when the Ministry's salary levels for correctional officers were increased by 30%, the educational minimum was also raised. A Correctional Officer 1 currently earns \$237.20 per week (\$12,334.40 per year) and, providing his or her work performance has been satisfactory, at the end of one year, he or she is reclassified as a Correctional Officer 2, with a three-year salary range of \$259.20 (\$13,478.40) to \$276.00 (\$14,352.00).

According to the Ministry, staff turnover prior to January, 1975, had reached a 22% annual rate. The current annual rate is about 10%.

Temporary employees are required to meet the same minimum educational requirements as full-time correctional officers. They are not allowed to work more than 24 hours a week for the Ministry, and are paid at a rate equivalent to the salary of a C.O. 1.

The detailed sections of this report which deal with jails, detention centres, adult institutions and clinics included in our survey, show that every institution makes use of regular staff overtime and temporary employees to enable it to operate effectively. According to Ministry documents, this practice is normal procedure for every adult facility.

As we have already pointed out, the excessive use of overtime, often involving correctional officers remaining on duty through two eight-hour shifts, results in decreased staff morale and effectiveness and can lead to institutional tension.

[Because of the problems associated with excessive staff overtime and the reliance on temporary employees, the

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\* Law Reform Commission of Canada estimate.

Office of the Ombudsman has concluded that the Government should support the Ministry's efforts to improve its staffing situation.]

According to Ministry documents concerning institutional staffing, the Ministry spent \$2.3 million on overtime during the fiscal year 1975-76.

One Ministry document says, "had the Ministry utilized classified staff instead of overtime, the same work could have been performed by classified staff for \$1.5 million. In other words, a savings of approximately \$700,000 could have been realized."

The same document goes on to point out that in addition to the extra expense incurred through the use of overtime, ".....excess overtime leads to:

- (1) Fatigue among Correctional Officers,
- (2) Lack of alertness to security breaches,
- (3) Stress related to long hours,
- (4) Family problems, and
- (5) Job dissatisfaction."

Another document lists several advantages accruing to the Ministry from changes in the current overtime procedures. Among the advantages mentioned are:

- (1) Increased classified staff,
- (2) Reduced manpower costs,
- (3) Reduced staff numbers (through the elimination of as heavy a reliance on temporary staff),
- (4) Improved staff morale,
- (5) Improved security, and
- (6) Greater flexibility in the use of staff.

Together with the problems created by an excessive use of overtime are those which result from the reliance on temporary employees to ensure that institutions are adequately staffed 24 hours a day, 365 days a year.

A Ministry document which addresses itself to the problems associated with the use of temporary employees indicates that such use indirectly hampers the Ministry's twin goals of detaining and rehabilitating offenders because temporary employees

- (1) Lack the same commitment to their correctional post as do full-time Ministry personnel,
- (2) Receive limited training to enable them to adequately carry out their duties,
- (3) Are unable to provide continuity of service because of a high turnover rate,
- (4) Are not always available when required, and
- (5) Appear to have become a major target for criticism by full-time correctional

officers who perceive that the presence of inexperienced employees negatively affects the safe and effective operation of institutions.

During the fiscal year 1975-76, the Ministry spent \$2.9 million for regular staff overtime, vacations, statutory holidays and sick leave and an additional \$4.6 million for temporary employee salaries.

Translated into equivalent salaries for full-time front-line correctional officers, the figures indicate that the Ministry was (as of March 31, 1976) short-staffed by 670 employees. That figure is understandably inflated, however, because the dollar amount shown for overtime represents overtime rates, not regular salary rates.

In an effort to better gauge the actual number of new employees required to bring each institution to an adequate staffing level, the Ministry adopted a formula based primarily on (i) the number of posts in each institution which must be manned 24 hours a day and (ii) the minimum number of correctional officers required to man the posts, taking into account vacations, statutory holidays, sick leave, regular days off as well as additional manpower requirements because of staff training, hospital guard duty and the like.

The use of this formula led the Ministry, in consultation with O.P.S.E.U., to request of the Management Board, in February, 1977, authorization to

- (i) increase by 375 the number of full-time correctional officers, which would
- (ii) reduce the reliance on temporary employees, and
- (iii) reduce the Ministry's overall costs.

In March, 1977, the Management Board approved the Ministry's proposals in principle. Prior to this general approval, we understand that staff complements for the new Metro Toronto East, Metro Toronto West and Elgin-Middlesex Detention Centres, which were computed according to the same formula, received Management Board approval.

In December, 1977, the Ministry informed us that as a result of Government staffing policy changes and further Ministry review of staffing patterns, the Ministry's staff has increased by 342 since the initial study of the Ombudsman in November, 1975.

#### INSTITUTIONAL STAFFING - SUMMARY AND RECOMMENDATIONS

In its pamphlet "CAREERS AND CORRECTIONS" the Ministry states that Correctional Officers work with adult offenders aged 16 and over, and adds,



"Since the correctional officer has more contact with the inmate than any other staff, his job is an essential one in the rehabilitative process. It requires personal integrity, an impartial attitude, flexibility and patience. Interaction with inmates, supervision and counselling are the main aspects of the job."

This brief job description is consistent with the Ministry's twin objectives, but based on our institutional visits and interviews, our discussions with Ministry and O.P.S.E.U. officials and our analysis of Ministry and O.P.S.E.U. documents, we have concluded that the current and recent past use of regular staff overtime and temporary employees works against the Ministry's achieving its goals, and

12. WE RECOMMEND THAT THE MINISTRY SEEK GOVERNMENT APPROVAL TO EMPLOY THE ADDITIONAL NUMBER OF CORRECTIONAL OFFICERS AS CALLED FOR UNDER THE STAFFING FORMULA; AND
13. WE RECOMMEND THAT THE MINISTRY REVIEW THE APPROVED STAFFING FORMULA ON AN ON-GOING BASIS TO ENSURE THAT EXCESSIVE STAFF OVERTIME AND A HEAVY RELIANCE ON CASUALS DOES NOT RE-OCCUR.

#### COST OF RECOMMENDATION

In the Ministry's view, adoption of the formula would not result in additional operating expenses as the use of the formula would end the Ministry's reliance on temporary employees and excessive (and costly) overtime.

#### FEMALE CORRECTIONAL OFFICERS IN ADULT MALE INSTITUTIONS

In commenting on the general issue of staffing, we would be remiss if we did not touch on what we feel has been a significant development in this area. In recent years, the Ministry of Correctional Services has embarked upon a bold course of action which has resulted in the introduction of female correctional staff into previously all-male adult institutions. This new direction in staffing is part of an attempt to "normalize" the prison environment and reduce artificial barriers which may mitigate against the offender's successful reintegration into the community. The introduction of this new element is even more noteworthy given the traditional nature of most correctional institutions and the long-established pattern of male-only staffing.

As of May 3rd, 1977, there were 110 female correctional officers (CO 1, CO 2) assigned to duty in adult male institutions. Female correctional officers are presently employed in institutions of all security classifications (maximum, medium, minimum) both in jails and detention centres and in correctional centres. Perhaps due to the greater emphasis on programming and lower security requirements, female correctional officers have to date been utilized to the greatest extent in the Ministry's correctional facilities which have longer term sentenced inmates. Conversely, due to factors such as limited staff complement and a greater emphasis on security, most smaller jails remain without female correctional staff.

Currently, the primary responsibility for hiring correctional officers at the entry level rests with the senior administrators of each institution. This factor may help to account for the differential use of female correctional officers in various institutions despite the Ministry's general commitment to this practice. Most notable among the institutions which are not now employing female correctional officers to supervise male inmates are the Toronto Jail and the Millbrook Correctional Centre.

The Ministry's present policy is that male/female staffing ratios in its institutions should mirror as nearly as possible the male/female ratio in the work force at large and the Ministry is aiming at a 60/40 male/female ratio in staffing its institutions. While achieving this ratio in existing institutions is, by necessity, a gradual process, the Ministry has accelerated this process in newly-opened and soon-to-be-opened facilities by designating a certain portion of correctional officer complement to be filled by female officers and recruiting accordingly. As a consequence, the new Toronto East, Toronto West, Elgin-Middlesex, and Hamilton-Wentworth Detention Centres, each have an initial complement of 17 female correctional officers. Also with respect to the implementation of this policy, we think it significant that the leadership of O.P.S.E.U., which represents all correctional officers, has strongly supported the Ministry in this regard.

As evidence of the success of this attempt to normalize staffing ratios, we note that several female officers have been successful in advancing to more senior ranks (CO 3, CO 4, CO 5) within adult male institutions. In one adult male institution, a female has been appointed to a senior management position. Female correctional staff have already distinguished themselves in the Ministry and we cite particularly the case of the female officer in the Thunder Bay Jail who successfully defused a potentially dangerous hostage-taking incident.

Despite the apparent success to date in the implementation of this policy, it has met with some negative reaction. It is our impression that at this point in time, a

significant segment of staff and inmates within the Ministry remain opposed to the concept of female correctional officers. In the course of our dealings with staff and inmates in various institutions, we have been made aware of certain criticisms and problems related to the use of female correctional officers. While the perceptions of staff and inmates to which we refer are not confined to any single institution or category of institutions, we have found that both staff and inmate reaction appears more intense within the Ministry's maximum-security institutions.

Some of the objections raised by male correctional staff from front-line correctional officers to senior administrators include the following:

- (a) the presence of female correctional officers in an institution increases the level of danger for male officers. Female officers are not capable of "backing up" male officers in times of crises, i.e., riots, disturbances, assaults;
- (b) that female correctional officers are not capable of controlling adult male inmates in the same manner as male officers;
- (c) that female officers are themselves exposed to significant personal danger in the form of potential assault and/or sexual attack by their presence in male institutions;
- (d) that female correctional officers are not capable of performing all duties required of male correctional officers and male officers are therefore forced to carry out extra duties to compensate;
- (e) from an administrative point of view in conjunction with (d) above, female officers create a significant deployment problem in that they cannot man certain security posts (i.e., showers) or perform certain other duties (i.e., escort) in the same manner as male staff.

Some inmates also reacted to the presence of female correctional officers and raised certain objections. Inmates tended to object mainly on the basis of invasion of privacy and unfavourable reaction to female correctional officers appeared strongest in maximum-security institutions and among older inmates. This reaction is probably best described as a perception among some inmates that women should not be working in institutions with male inmates.



Given these perceptions, and keeping in mind the close proximity that exists between the inmate population and the correctional staff in provincial correctional facilities, we feel it is important that the Ministry monitor inmate feelings and attitudes regarding the presence of female correctional officers.

Female correctional officers interviewed also perceived certain difficulties in working in male institutions. While some of the problems they identified were similar to those pointed out by male officers, female officers tended to have slightly different views of their role. The following observations, made by female officers, would appear to be representative:

- (a) that there is a tendency among male administrators and correctional officers to overprotect and thereby patronize female officers;
- (b) that the element of danger faced by female correctional officers is usually no greater and in some cases is less than that faced by male officers;
- (c) that female correctional officers are generally treated with great deference by inmates but are less well-accepted by male correctional officers.

#### FEMALE CORRECTIONAL OFFICERS - SUMMARY AND RECOMMENDATIONS

Based on our observations and interviews with staff and inmates, we concluded that no significant reason exists which should preclude the use of female correctional officers in adult male institutions. Despite some adverse reaction and certain minor difficulties, we support the Ministry's present policy to normalize relations in adult institutions by introducing female correctional officers in male institutions and male correctional officers in female facilities.

While we recognize that certain negative perceptions exist on the part of some staff and inmates about the use of female correctional officers in male institutions, we feel that these perceptions will modify in time, and our observations of the Ministry's institutions lead us to conclude that this will, in fact, be the case.

#### WE RECOMMEND THAT THE MINISTRY:

14. CONTINUE TO IMPLEMENT ITS PRESENT POLICY OF USING SOME FEMALE CORRECTIONAL OFFICERS IN MALE INSTITUTIONS AND SOME MALE OFFICERS IN FEMALE FACILITIES;

15. UNDERTAKE A REVIEW OF DEPLOYMENT OF FEMALE CORRECTIONAL OFFICERS TO ENSURE THAT FEMALE OFFICERS ARE NOT UN-NECESSARILY RESTRICTED FROM ANY DUTY REQUIRED OF MALE OFFICERS, PARTICULARLY IF THE RESTRICTION IMPOSED HAS AN ADVERSE EFFECT ON DEPLOYMENT OF MALE OFFICERS;
16. REVIEW THE APPROPRIATENESS OF USING FEMALE CORRECTIONAL OFFICERS IN INSTITUTIONS IN THE THREE SECURITY CATEGORIES (MAXIMUM, MEDIUM, MINIMUM), BASED ON THE RESULTS OF THE REVIEW RECOMMENDED IN #15 ABOVE;
17. RECOGNIZE THE EXISTENCE OF NEGATIVE FEELINGS TOWARDS THE USE OF FEMALE CORRECTIONAL OFFICERS IN SOME SETTINGS AND ATTEMPT TO DEAL WITH THESE ADVERSE PERCEPTIONS THROUGH DEVELOPMENT OF AN ON-GOING STAFF TRAINING PROGRAM DESIGNED TO PROMOTE BETTER UNDERSTANDING OF THE ROLE OF FEMALE CORRECTIONAL OFFICERS IN ADULT MALE INSTITUTIONS.

#### CORRECTIONAL OFFICERS AND THEIR UNION

Insofar as the October, 1975, press release of the then C.S.A.O. is concerned and to the extent that their concern related to the problem of overcrowding, we have concluded that their remarks were fully justified.

To the extent that their concern related to the likelihood of violent wide-scale eruptions among the prison population of Ontario, we feel in the light of our detailed study that they were unduly alarmist.

While on the subject of the correctional officers and their union, we have some special comments we wish to direct expressly to them.

We have sought in our recommendations in this report the co-operation of the multiple arms of the justice system - the judiciary, the crown and defence bar, the police, the parole authority and the Government itself.

We feel, however, that the one arm whose co-operation is the most important of all is the individual correctional officer and also the union to which he or she belongs. Both the individual correctional officer as well as the Union have a special onus to ensure that Ontario's correctional institutions operate in such a way so as to fulfill the aims of detaining and rehabilitating inmates.

In the report to Parliament by the Sub-Committee on the Penitentiary System in Canada (commonly referred to by the media as the 'MacGuigan Committee' for its Chairman), the following comments are made by the Committee at paragraphs 221, 239 and 244:

"221. - To the inmates, the Correctional Officers are the visible instruments of the system that keeps them locked into a life, as well as a place, of directionless and frustrating idleness. These Officers are regarded by some prisoners as "fair game" for continuing insults, abuse, minor physical annoyances and all the other manifestations of anger in a system with no constructive outlet and few other targets. In the absence of the stability and self-assurance that come from good training and a sense of professionalism, this behaviour has become reciprocal, with the staff and inmates locked into what amounts to an endless and mutually destructive low-level, verbal and psychological warfare. This often sparks into violence, as happened recently at the Millhaven, Laval and British Columbia Penitentiaries. It continues over the months and years, as each side seeks the empty triumph of goading the other into reprisals. This imposes an almost unendurable strain on everyone in a penitentiary, whether employed or imprisoned there. More than any other single factor, it diverts the energies of all concerned away from any goals essential to the self-esteem of both sides.

"239. - In coping with this problem in particular (Management Directives issued to Custodial Officers which, in their view, are inconsistent with their experience), the Union has become the primary refuge of the correctional staff. The Solicitor-General's Component of the Public Service Alliance of Canada is pervaded by a 'garrison mentality' that, as we have tried to show, it would be simplistic to attribute to selfish obstructionism or to dismiss as something that is intrinsic to trade unionism per se. Like everything else about the penitentiary system, there are genuine abuses in the Public Service Alliance, among them questionable voting procedure in some areas, and failure to perceive and act intelligently on problems that are capable of resolution even under the present difficult circumstances. Generally speaking, however, the Union presents the only avenue, albeit an inappropriate one in many cases, for some sort of resolution of the host of problems facing the staff. Union-Management struggles, ranging from threats of strikes and withdrawal of overtime to bellicose resistance to necessary disciplinary measures, are consequently endemic in Canadian penitentiaries. As



more than one problem of all - although the inevitable result of everything that goes on is that they wind up suffering the most.

"241. - ... Much of the current Union effort is devoted to throwing off the present stifling web of frustrating ambiguity by reinstituting, both on a person-to-person and on an institutional level, practices that have been officially abandoned or condemned by the Canadian Penitentiary Service for a decade. By and large, this effort has succeeded, and our correctional efforts, as opposed to our custodial practices, are consequently paralyzed in the middle of this Union-Management deadlock."

Although we are not suggesting that the same abuses of which the Committee speaks with relation to the Public Service Alliance are also applicable to the Ontario Public Service Employees Union (O.P.S.E.U.), being the bargaining agent for the Correctional Officers employed by the Government of Ontario, we have made reference to these paragraphs to underscore the heavy onus which, in our view, rests upon the Union to ensure that the correctional system in Ontario functions smoothly and in the best interests of all concerned - correctional staff, inmates and the public at large. In saying this, we recognize that certain decisions or actions may be taken by management personnel in the Ministry of Correctional Services which the Union may see fit to grieve.

By virtue of section 28 of The Crown Employees Collective Bargaining Act, S.O. 1972 c. 67, a duty of fair representation is imposed upon the Union not to act "in a manner that is arbitrary, discriminatory or in bad faith." Section 30 sets out the procedure to be followed where an employee files a complaint with the Ontario Public Service Labour Relations Tribunal that this duty has been breached. Although, as we understand it, there have been no written decisions issued by the Tribunal interpreting the statutory duty, there have been written decisions made by the Ontario Labour Relations Board interpreting the identical duty as contained in section 60 of The Labour Relations Act, and imposed upon trade unions certified under the Act.

These decisions make it clear that the duty that rests upon the Union does not require it to become the guarantor or ensurer against any adversity suffered by an individual employee; rather the Union is required only to fairly consider and weigh the competing interests of all employees in the unit represented by it. Furthermore, in determining fairness, the Board may consider the merits of the claim,

the effect of compromise or arbitration on others in the bargaining unit and the long-term implications thereof. Finally, the cases hold that the trade union is not required to blindly carry every grievance through arbitration at the demand of an aggrieved employee. The right of the union to settle grievances, even if meritorious, is in no way curtailed by the statutory duty provided that, in the course of doing so, the trade union does not act in a way that is arbitrary, discriminatory or in bad faith.

Circumstances may unfortunately arise in Ontario correctional facilities where a Correctional Officer clearly breaches the standards imposed upon him by the Regulations passed pursuant to The Ministry of Correctional Services Act, R.S.O. 1970 c. 110 as amended, and specifically section 21 of Regulation 166 - for example, the use of unnecessary and violent force with respect to an inmate. The Ministry may subsequently choose to discipline the Officer involved and the O.P.S.E.U. may then decide to file a grievance on the employee's behalf in accordance with the above-mentioned grievance procedure.

We would suggest that it does not serve the correctional system in Ontario well if the Union steadfastly maintains the position up to and including arbitration that the grievance be allowed, in circumstances where the Union is aware that the facts justify the action taken by the Ministry.

As the cases referred to above would indicate, the Union is entitled to consider the long-term implications of such a course pursued by it. In our view, the Union should take the opportunity to repudiate the conduct of the Officer in such a case, and by so doing, reaffirm the confidence placed in the Union by its Correctional Officer members, and in the correctional staff by the Ministry, the inmates and the public at large.

#### STAFF TRAINING AND DEVELOPMENT

##### Preliminary Remarks

Throughout this report, we have noted the comments and concerns raised by almost every correctional officer we interviewed in almost every institution we visited regarding what has been, in their view, the poor staff training and development program operated by the Ministry.

In order to put their comments into perspective, we contacted senior officials of the Ministry to ascertain the Ministry's policy respecting staff training and development and learned that this aspect of the Ministry's operations has been undergoing a number of adjustments during the past few years.

Indeed, just before this report was finalized, the Ministry received an internal appraisal of its staff training and development program which outlined the major problems facing this branch.

The Ministry committee reported that staff training and development was being hampered by:

1. Vaguely defined training needs.
2. A lack of integration of staff training programs with on-going policy development and operations.
3. Different perceptions concerning the staff training function.
4. A lack of clarity concerning training responsibility.
5. A lack of regional or province-wide training plans.
6. Conflicting priorities.
7. Low visibility with Universities and Community Colleges.
8. The lack of skills and experience needed by correctional officers to perform their tasks.
9. The lack of understanding on the part of correctional officers of the Ministry's goals.
10. The tension experienced by part of the work force as a result of administrative and inmate factors.
11. The lack of promotional opportunities for most correctional workers.
12. The lack of understanding on the part of administrators regarding their staff training responsibilities.

It is important to keep in mind that the conclusions drawn by the members of this internal staff training and development study group have not been endorsed in their entirety by senior Ministry officials.

We also wish to emphasize that although many correctional officers expressed concern about the staff training and development program, there is little doubt that the Ministry has been making numerous efforts for many years to improve this aspect of its operation.

#### Recent Developments

Since 1972, staff training and development has been reviewed and the program structure revised but initiatives have not always proceeded as well as might have been hoped. Two major reasons were:



1. Limits on staff numbers forced the Ministry to forego an in-depth orientation and training program for one which emphasized on-the-job-training.
2. Expenditure allocation was the overriding consideration. Those staff members who might have attended training courses would have had to be replaced during their absence, but because of existing staff shortages training courses were not attended, extensive overtime expenses were already being incurred, and the institutions had to rely more and more on the use of casuals.

Over the years, the result has been a general dampening of staff morale, a significant staff turnover in many institutions, staff disillusionment because careers quickly become dead-ended, inconsistency in the application of rules and regulations, difficulty of staff remaining in touch with rapidly changing times, and increasing tension among staff members whose goals and ideals concerning correctional work conflict with those of their colleagues.

Aware of these problems and shortcomings, the Ministry of Correctional Services established THE TASK FORCE ON ORIENTATION AND BASIC STAFF TRAINING. This task force became operational on July 11, 1974 and continued its studies until February, 1975.

At the time of the initial survey by the Office of the Ombudsman in November, 1975, the results of the task force had been completed and the Ministry of Correctional Services had already embarked upon a revised program of staff training and development.

Until 1975, there was little if any formal in-service staff training and development for senior administrators and managers, and staff training and development for correctional officers was also inadequate. New recruits spent their first nine months working in the institution aided only by on-the-job training given by other staff members. To supplement this training, officers were required to take a 26-lesson correspondence course, 10 assignments of which had to be completed before they had finished their first nine months of service. After the nine month period, officers attended a three week course at one of the five staff training centres to undertake basic training in first aid, self-defense, interpersonal relations and security and riot control.

During conversations with Ministry officials, correctional officers and Ministry staff training personnel, Investigators from the Office of the Ombudsman were given the unanimous opinion that the program was inadequate.

Until late 1975, the only formal training given to potential administrators was the Correctional Administrative Training program (C.A.T.). Potential managers and administrators were assigned to work at various duties in a variety of institutions, regional offices, etc., to become familiar with different administrative functions and operating procedures. The culmination of this two-year program was the placement of C.A.T. trainees into administrative positions. However, due to lack of funds, the Ministry of Correctional Services was forced to curtail this program.

As a result of the information gathered during the institutional visits by members of the Office of the Ombudsman, Investigators contacted staff training personnel between October, 1976, and March, 1977 and learned that the Ministry still had not implemented a full in-service staff training and development program for superintendents and deputies.

On the other hand, the Ministry had adopted a refresher course lasting one week for CO 4's (sergeants) and CO 5's (lieutenants).

Basically, this course offers low-level staff management training, a review of Ministry philosophy, and career planning, but recent conversations with the Director of Staff Training and Development Branch and his assistant said that the Ministry itself still considers this program to be inadequate in terms of its duration. In addition, senior Ministry administrators in the Staff Training and Development Branch see a need for providing this course to candidates for these positions before their official appointments.

Beginning in 1975, and still in existence, is a five-phase program for staff training and development for CO 1's and CO 2's. The program is outlined below.

1. Immediately after an officer is hired, he receives a five-day introduction to the Ministry, during which time he tours the institution in which he is to work and receives an explanation of some of the duties that he will undertake.
2. He then undergoes a three-day orientation program which provides him with a general overview of the Ministry's functions. This period of time equips him to be able to ask questions about his new job and to watch other officers at work.
3. He is then sent on a seven-day basic training course at the nearest of five staff training centres. Much of the emphasis is on security measures, riot training, emergency procedures and interpersonal relations. (This course takes place within six weeks of a new officer joining the Ministry. At this stage, however, he will usually have had only one week of institutional

training). Upon completion of this program, the officer returns to the institution.

4. After six months, he returns to one of the staff training centres (located in Guelph, Brampton, House of Concord [Toronto], Cobourg, and Sudbury). During this a "consolidation seminar", which is basically a one-week refresher course, he is given the opportunity to discuss problems which he may have encountered during his first six months of service.

Officials of the Staff Training and Development Branch told one of our Investigators that they feel that this basic program for Correctional Officers is inadequate.

#### Problems in Staff Training

There are three major problems which have impeded staff training and development. First, senior Ministry officials feel that not enough money has been spent on staff training and development in the context of all Ministry programs. As a result, and despite recent studies and changes, they feel that this area has suffered.

During the fiscal year 1975-76, the Staff Training and Development Branch was allotted \$1.2 million and a staff of 24 to train approximately 5,500 employees. Senior Ministry officials contended that there was a need for a much larger budget. They pointed out that training facilities are inadequate, there is no on-going assessment made of the officers who receive the training, there are insufficient funds to bring resource people to staff training programs and there is an absence of research and follow-up to determine the effectiveness of the training and development programs. (Of course, this \$1.2 million does not include day-to-day institutional costs involved in on-going training programs.)

A second concern of the staff training administrators was the need for re-training of the staff training instructors. Many of them have not been in institutions for several years and need refresher courses to update their knowledge.

Third, there is no standardized training program within the Ministry. There are five training centres, but according to senior staff training officials the operating philosophy of each regional coordinator affects the quantity and quality of training within a particular area. In recent conversations, they emphasized the need for a central training school in order to standardize staff training within the Ministry.

Yet another concern which was expressed was the lack of staff training planning. According to staff training officials, the content of courses is often dictated by crisis



occurrences. For example, as a result of the fire in the Stratford Jail on December 18, 1976, (in which five inmates died), the Ministry decided to expand its staff fire-fighting training.

It also appears that some Ministry staff - at all levels - are unaware of the existence of a career planning program offered by the Ministry. This lack of communication, in our view, further dampens staff morale throughout the Ministry.

#### SUMMARY AND RECOMMENDATIONS

We feel that recruitment and staff training is one of the most important operations in the Ministry because the quality of the Correctional Officers influences to a great degree the effectiveness of the entire system.

In our view, the most important recommendation in the task force report of 1975 is one that encourages expansion of the two-year community college course for Correctional Officers. Each individual completes a two-year program and receives both classroom and on-the-job training through placement in various institutions.

During the fiscal year 1975-76, staff training and development centres processed a total of 1,500 Correctional and Probation Officers at their five locations. More than 50% of these were one-day seminars. In addition, 950 staff members attended civil service courses and university management courses.

Once a Correctional Officer has completed the basic five-phase initial training program within his first year of service, he has access to the educational assistance program and other refresher courses but there are no further extensive training programs available to him through the Ministry until (and if) he becomes a CO 4 or CO 5. Ministry staff training officials said there is a need for a CO 3 (corporal) course to prepare candidates for positions of sergeants and lieutenants.

Another point raised during our conversations with Ministry staff was their perception that Correctional Officers who might be capable of assuming greater responsibilities are not sufficiently encouraged to up-grade themselves, and those who do so receive little recognition for their efforts.

In this regard, it seems apparent that the Ministry's staff training and development personnel cannot be faulted. Booklets outlining, for example, the Ministry's educational assistance program are distributed to institutions for correctional officer use and they outline the method by which officers may apply for subsidization of fees and other expenses connected with upgrading their skills.

In most cases, the Ministry subsidizes such expenses by at least 50 per cent and in other cases the Ministry underwrites the total cost of such upgrading.

Although this material is supposed to be available to correctional officers through senior institutional personnel, it appears that there are significant institutional variations concerning the degree to which such personnel encourage officers to upgrade themselves.

These variations should be monitored closely to ensure that every effort is made to inform officers of the educational assistance program. We feel their perception of their future career pattern can be positively stimulated in this way and such a stimulation will likely have a beneficial effect on their day-to-day interactions with inmates and senior institutional personnel.

The staff training branch also emphasized the need for formal on-going training and management courses for Superintendents and Deputy Superintendents. Currently, the senior institutional personnel do not have any formal upgrading programs available to them.

Obviously, one of the main factors in the smooth functioning and operation of an institution is a qualified and competent administration, and even if front-line correctional officers and middle managers were receiving adequate on-going staff training and development, problems would arise if Superintendents and their senior aides were not given the opportunity to up-date their knowledge of administrative techniques.

In November, 1975, and in October, 1976, several correctional officers interviewed in different institutions complained about the lack of on-the-job training provided by the staff training officer of their particular institution, and our Investigators noted that many of the institutional staff training and development officers were performing their training duties in addition to several other functions.

Considering the recent comments made to our personnel by senior Ministry Staff Training and Development Branch officials, and combining their observations with the criticisms made of the Ministry's staff training and development program to our Investigators during their institutional visits, it is clear that practically everyone involved in the Ministry is dissatisfied with the current program.

Many staff members feel that the Ministry's initial orientation program is inadequate, and, for that reason, we feel that institutional staff training should receive immediate attention with a view to improving it for all ranks - from front-line officers to chief administrators.

18. WE RECOMMEND THAT STAFF IN CORRECTIONAL CENTRES AND ADULT TRAINING CENTRES RECEIVE BOTH REHABILITATIVE AS

WELL AS CUSTODIAL TRAINING AND WE RECOMMEND, THEREFORE, THAT FOR THE PURPOSES OF STAFF TRAINING AN ASSISTANT SUPERINTENDENT BE APPOINTED IN EACH MAJOR INSTITUTION TO PLAN AND IMPLEMENT THE STAFF TRAINING PROGRAM.

19. WE RECOMMEND THAT FOR SMALL INSTITUTIONS OR JAILS WHERE THE APPOINTMENT OF AN ASSISTANT SUPERINTENDENT FOR STAFF TRAINING WOULD NOT BE APPROPRIATE, THE REGIONAL STAFF TRAINING OFFICERS SHOULD ATTEND THE INSTITUTIONS AND CARRY OUT THE TRAINING PROGRAM ON A REGULAR BASIS. \*

In light of these comments, criticisms and suggestions about the initial orientation program, and bearing in mind that the effective functioning of the Ontario correctional system depends on its maintaining a qualified staff, and because many jail and detention centre staff members criticized the adequacy of the current training programs insofar as they failed to emphasize those special skills which are required in such institutions,

20. WE RECOMMEND THAT THE MINISTRY'S STAFF TRAINING AND DEVELOPMENT BRANCH IMMEDIATELY REVIEW ITS TRAINING PROGRAM FOR CO 1 AND CO 2 PERSONNEL WITH JAIL AND DETENTION CENTRE ADMINISTRATORS WITH A VIEW TO REVISING IT IF NECESSARY. (In June, 1977, we were informed that a review was underway.)

Front-line correctional officers represent to inmates the physical embodiment of the entire criminal justice system and are often an inmate's prime source of information about matters of concern to him, concerns which, if left unanswered, could lead to unnecessary inmate frustration and institutional tension.

Because of this, we feel it is important that correctional officers be able to advise inmates of basic police, court, bail, probation and parole procedures.

In making the following recommendation, we do not wish to be taken as meaning that it is our view that correctional officers should possess and communicate complex information regarding specific rules, regulations or procedures. We feel, however, that officers should be equipped to transmit, in a general way, basic information such as (1) how often a

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\* Because of the importance we attach to an adequate staff training and development program in provincial correctional institutions, we suggest that until all facilities can be provided with staff training personnel as outlined in these two recommendations, the Ministry should establish, in each of its training regions, a team of instructors which would attend, on a regular and immediate basis, those institutions where staff members are most in need of training assistance.



remanded inmate must appear in court, (2) what the word "bail" means, (3) how an inmate can contact a lawyer, (4) what the word "probation" means and (5) what the word "parole" means.

Because we feel that correctional officers should be better-equipped to answer basic inmate questions about the criminal justice system,

21. WE RECOMMEND THAT THE COURSE CONTENT OF PROGRAMS GIVEN TO CORRECTIONAL OFFICERS BE AMENDED AS QUICKLY AS POSSIBLE SO AS TO INCLUDE A REVIEW OF BASIC POLICE, COURT, BAIL AND PAROLE (PROVINCIAL AND NATIONAL) PROCEDURES AND THAT CORRECTIONAL OFFICERS BE ENCOURAGED TO UPGRADE THEIR KNOWLEDGE OF SOCIAL SCIENCES WITH THE FINANCIAL AID OF THE MINISTRY'S EDUCATIONAL ASSISTANCE PROGRAM. (In June, 1977, we were informed that a review of the course content would begin in July, 1977.)

Because some staff members are unaware of the Ministry's career planning program,

22. WE RECOMMEND THAT THE MINISTRY MAKE ALL PERSONNEL AWARE, ON A REGULAR BASIS, OF THE CAREER PLANNING PROGRAM AVAILABLE THROUGH THE MINISTRY.
23. WE RECOMMEND THAT THE MINISTRY TAKE A VERY STRONG POSITION WITH RESPECT TO ITS FUTURE BUDGETS SO AS TO STRESS THE PRIORITY IT PLACES ON STAFF TRAINING AND DEVELOPMENT.
24. WE RECOMMEND THAT THE MINISTRY UNDERTAKE A COMPREHENSIVE REVIEW OF ITS STAFF TRAINING AND DEVELOPMENT PROGRAM AND FUTURE NEEDS WITH PARTICULAR ATTENTION TO BE PAID TO:
  - (a) THE POSSIBLE NECESSITY OF RE-TRAINING, ON AN ON-GOING BASIS, STAFF TRAINING AND DEVELOPMENT BRANCH PERSONNEL;
  - (b) THE POSSIBLE NECESSITY OF ESTABLISHING A FORMAL MANAGEMENT TRAINING PROGRAM FOR SUPERINTENDENTS AND DEPUTY SUPERINTENDENTS;
  - (c) THE POSSIBLE NECESSITY OF ESTABLISHING A BASIC COURSE FOR CORRECTIONAL OFFICERS DUE FOR PROMOTION TO A HIGHER CLASSIFICATION BEFORE THEIR PROMOTION;
  - (d) THE BENEFITS WHICH MIGHT ACCRUE TO THE MINISTRY THROUGH A GREATER

INVOLVEMENT IN COMMUNITY COLLEGE  
COURSES FOR CORRECTIONAL OFFICERS; \*

- (e) THE BENEFITS WHICH MIGHT ACCRUE TO THE MINISTRY THROUGH THE ESTABLISHMENT OF A CENTRAL TRAINING CENTRE TO ENSURE PROVINCE-WIDE TRAINING STANDARDS; AND
- (f) THE PROJECTED ANNUAL COST OF THE MINISTRY'S PROPOSED CHANGES TO ITS STAFF TRAINING AND DEVELOPMENT BRANCH.

SECURITY

SUMMARY AND RECOMMENDATIONS

Our observations of the 15 jails, 3 detention centres and 10 correctional/adult training centres and clinics since November, 1975, our information regarding inmate escapes, deaths and disturbances during the past few years, and our analysis of several institutional inspection reports - combined with our conclusions and recommendations concerning inmate populations and staffing, lead us to conclude that:

1. Overcrowding hampers correctional officers and administrators in their efforts to ensure the security of both inmates and staff;
2. Outdated physical facilities in many jails and some correctional/adult training centres militate against possible renovations which would increase institutional security;
3. The use of excessive overtime and a heavy reliance on the use of casual employees (who are perceived to be less well-trained, experienced and motivated by full-time staff) negatively affects the necessary on-going implementation and application of security procedures;

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\* Some of the Provincial Community Colleges such as Algonquin in Ottawa, Centennial in Scarborough and Sheridan in Mississauga, offer a two-year diploma course for correctional workers. The program consists of academic courses which is augmented with on-site training in some correctional facilities. The practical training afforded to the students is of benefit to the Ministry of Correctional Services since most students enter the correctional service upon graduation and are already familiar with the general daily operations of correctional institutions and have been given a valuable exposure to correctional work - both theoretical and practical.

4. The failure to designate and fully train a regular senior staff member in every institution who would be responsible (on either a full-time basis, or in addition to other duties) for overall security training, procedures and inspections leads to inconsistency in the security standards in existence throughout the province.

In conjunction with our previous recommendations concerning the resolution of problems caused by inmate overcrowding, antiquated physical facilities and understaffing, we feel there is a need for each institution to designate an individual who will have overall security responsibility for that facility. In addition, we also suggest that a Director of Security be appointed to Main Office to co-ordinate the Ministry's entire approach to security.

The Director would be responsible for ensuring that the designated individual in each institution would oversee, in co-operation with other institutional authorities, the implementation of proper security procedures. In addition, both the institutional security supervisor as well as the Director of Security would work in close co-operation with officials charged with establishing and operating inmate rehabilitative programs. We wish to emphasize that security personnel must work in concert with rehabilitative authorities so as to ensure that security measures are flexible enough to allow the Ministry's rehabilitative and programming efforts sufficient scope.

It is our view that, properly understood and organized, the creation of these posts will aid institutional authorities in carrying out the dual aims of the correctional system.

WE RECOMMEND:

25. THAT THE MINISTRY IMMEDIATELY APPOINT A DIRECTOR OF SECURITY WHO WOULD BE RESPONSIBLE FOR ALL PHASES OF CORRECTIONAL SECURITY IN ONTARIO'S JAILS AND ADULT INSTITUTIONS; AND,
26. THAT THE MINISTRY DESIGNATE A SENIOR OFFICER IN EACH MEDIUM AND MAXIMUM-SECURITY ADULT INSTITUTION TO BE RESPONSIBLE (IN CONJUNCTION WITH REGULAR STAFF TRAINING PERSONNEL) FOR STAFF SECURITY TRAINING, AND THE IMPLEMENTATION AND INSPECTION OF NECESSARY SECURITY MEASURES; AND,
27. THAT THE INSTITUTIONAL INSPECTION REPORTS PREPARED BY THE MINISTRY'S INSPECTIONS AND STANDARDS BRANCH BE FORWARDED TO THE PROPOSED DIRECTOR OF SECURITY AND THAT THE DIRECTOR BE RESPONSIBLE FOR ENSURING THAT ANY AND ALL SECURITY DEFICIENCIES ARE PROMPTLY CORRECTED.



## INMATE CLASSIFICATION

### SUMMARY AND RECOMMENDATIONS

A comprehensive and all-encompassing classification system has been designed by the Ministry of Correctional Services which, in theory, looks at the inmate as an individual with differing security requirements and personal needs. The Ministry of Correctional Services has defined the term "Classification" as "a continuous process embracing the time an individual is placed under our care at sentencing, until he is returned to his community upon release."\*

Unfortunately, this system has broken down in implementation. The reasons are numerous:

- 1) Overcrowding;
- 2) Lack of specific types of institutions;
- 3) Lack of cellular accommodation;
- 4) Lack of adequate staff training;
- 5) Inadequate documentation on inmate files;
- 6) The existing inmate subculture.

The first four reasons identified above have been covered at some length in this report and need no further clarification.

Currently, inmates are brought into custody with little background information about them being provided by the arresting police force or the courts. Often the only data available to the institutional authorities is the Warrant of Committal.

Should a pre-sentence report be requested by the courts, there is no requirement that this document accompany the prisoner when he is brought into custody upon sentencing. In this situation, the inmate is an unknown entity in the jails and detention centres, unless, by chance, he is known by the staff from previous terms of incarceration. At best, this provides for a "hit and miss" method of internal classification.

After sentencing, inmates are initially classified by the Chief Provincial Bailiff to Correctional Institutions based on the information provided by the jails and detention centres. As indicated in the preceding paragraph, this information is often sketchy, thereby providing for a continuation of the "hit and miss" method.

28. (a) WE RECOMMEND THAT ARRANGEMENTS BE MADE AT THE LOCAL LEVEL BETWEEN THE ARRESTING POLICE FORCES AND THE JAILS AND/OR DETENTION CENTRES TO ENSURE THAT ADDITIONAL DOCUMENTATION ON ARRESTED PERSONS IS PROVIDED TO MINISTRY PERSONNEL AT THE

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\* Memorandum dated September 12, 1975 from the Executive Director, Adult Programs, Ministry of Correctional Services.

TIME OF THE PRISONER'S ENTRY INTO CUSTODY. SPECIFICALLY, WE RECOMMEND THAT THE INMATE'S CRIMINAL RECORD (WHERE APPLICABLE) AND THE CIRCUMSTANCES OF THE OFFENCE FOR WHICH HE/SHE HAS BEEN CHARGED SHOULD BE MADE AVAILABLE IMMEDIATELY TO THE INSTITUTIONAL AUTHORITIES.

- (b) WE ALSO RECOMMEND THAT, WHERE A COURT-ORDERED PRE-SENTENCE REPORT IS AVAILABLE, IT BE MADE AVAILABLE TO MINISTRY PERSONNEL FOR THE PURPOSE OF BETTER CLASSIFYING SENTENCED INMATES.

The last identified reason for the breakdown of the classification system (number six) rests with one of the philosophies of the existing inmate subculture. The inmate subculture finds its origin through a number of factors, but one that is given credence is that the subculture has created for the inmates a set of values by which they can live their lives while in a Ministry institution.

The incarcerated population is comprised of individuals who cannot adhere to the values and laws of conventional society. This population is viewed as having failed on the "outside" so they have been brought together in a correctional facility so that representatives of society can teach the inmates to respect society's laws and values.

The inmate subculture gives the inmate something to respect and follow. It is a value system which is shared by practically all offenders in the institution. With this unified effort supporting him, the inmate finds it easier to reject the mores and laws of conventional society as well as those who try to rehabilitate him. This attitude of rejection places a heavy burden upon all who try to help an inmate while he is confined in a jail, a detention centre, or correctional facility.

The inmate subculture is based upon an unwritten code which all inmates are expected to follow. If one of the codes is broken, whether an inmate is inside an institution at the time or on the outside in society and is then returned to a correctional institution, his disrespect for the inmate code may very well result in his being sanctioned. The inmate subculture parallels the mores of society in that there are laws which must not be broken, otherwise, the perpetrator will be punished.

Our specific concern with regard to the Ministry's classification system relates to the sanctioning and labeling which takes place within the inmate subculture. The inmate subculture is built on a hierarchy and every inmate must find his place within the inmate structure. In the atmosphere of a correctional institution, status is usually based on two factors - power and criminal history.

If an inmate can be classified as holding power, he will probably retain a position of status in the institution. If the power is based upon the inmate's intellectual prowess - "the brain" - his status will be higher than the inmate's whose power is physical or brutal - "the muscle". If an inmate has committed acts of "bravado" in the community and his reputation is well known, he too will enter the institution with a position of esteem.

There are positions of lower status - in fact these individuals are so removed from the rest of the inmate population that they must be protected from the other inmates. The inmates who fall into the lowest rungs of the hierarchy in a prison are viewed as expendable - their lives are worth nothing because of an act they have committed against the inmate code. As already mentioned, the act or omission which has resulted in a breach of the subculture code may have taken place in the institution or prior to the inmate being sentenced to a term of imprisonment.

This lowly status may be achieved by an inmate testifying against another inmate during a court hearing or by an inmate giving information concerning other inmates' activities to Ministry staff.

This position may also be assigned to an inmate who has committed a crime which is considered by the rest of the inmate population to be heinous in nature, such as a rape or a child molestation. The rest of the inmate population may react negatively to an inmate's personal appearance, race, creed or colour. The simple fact that an inmate is disliked may result in a rumour being started by another which claims that the inmate has broken the subculture code.

For whatever the reason, almost every correctional institution makes regular use of a section of the facility which is referred to as "Protective Custody." This is the section of the institution in which the previously described inmates, whose very lives are jeopardized, must be placed and carefully guarded. These inmates cannot mingle in the normal inmate population and they must exercise in their own area and their participation in the programs must be curtailed because it would be an extreme burden on the correctional staff to try and protect these inmates from the larger population.

The classification system is affected because it becomes a difficult task to transfer the protective custody inmates from the jails and detention centres to the larger correctional centres. In essence, the protective custody inmates are being kept in a smaller prison within the larger correctional institution. The planning involved when a transfer is to take place can become almost impossible because some inmates are hated and despised so much that they are not really safe in any institution.



It is not our intention to attempt, in this report, to answer the age-old question of how to break down the inmate subculture. However, we would support any efforts the Ministry might make to experiment more extensively with the Living Unit concept which ties small groups of inmates with specific correctional officers over a lengthy period of time.

The Living Unit concept is designed to counter the large inmate subculture by housing inmates in groups of approximately fifteen. Each unit contains its own dining and recreation area so that the inmates spend a good deal of time interacting with others in the unit. During the day-time hours the inmates will be involved with vocational training, academic programs or will be part of a work detail.

The staff members in each unit are assigned to the same unit for an extended period of time. This allows the inmates to know the living unit officers (correctional staff) as well as the classification staff who are assigned to the unit.

The units are small and are designed to meet the needs of inmates who have exhibited similar problems. In this way the programming in the unit can have a greater impact since it is geared to deal with similar problems which have been exhibited by fifteen inmates.

Even if such a program were to be extensively established and successfully operated, however, we feel that Ontario's jails, detention centres and other adult institutions will continue to be plagued by problems arising out of the inmate subculture and it is yet another factor which complicates the Ministry's attempts to properly classify and rehabilitate offenders.

## INSTITUTIONAL MORALE

### Influencing Factors

The detailed sections of this report, which deal with specific institutions, present a number of contrasting pictures.

The better institutions, those which have a high staff and inmate morale (and which thereby provide a better opportunity for the Ministry to carry out its twin objectives of detaining and rehabilitating offenders), appear to be characterized by:

1. Sound administration on the part of the Superintendent and his senior staff in accordance not only with Ministry rules and regulations, but also in the spirit of the Ministry's Statement of Purpose;
2. Regular positive inter-communication between all institutional levels -

- administrators, correctional officers, professional staff, community volunteers and inmates;
3. A lack of inmate overcrowding;
  4. Adequate physical facilities; \*
  5. Sufficient meaningful and/or interesting activities for inmates; varied recreational programs both on an individualized and group level to alleviate boredom, reduce tension, restlessness and frustrations among the inmate population; the utilization of both Ministry staff and volunteers where appropriate in organizing and supervising such programs;
  6. A low annual staff turnover rate;
  7. A low incidence of violent inmate eruptions resulting in possible injury to inmates and staff, as well as damage to institutional property;
  8. The proper classification of inmates to and within institutions;
  9. A restrained use of segregation facilities for disciplinary purposes;
  10. An adequate orientation program for both new staff members and inmates;
  11. A varied, meaningful and interesting in-house training program for staff members;
  12. A lack of excessive staff overtime, restrained use of temporary employees, and;
  13. A perception on the part of most of those involved in an institutional setting - administrators, correctional officers and inmates alike - that the institution, and their role in it, serves a positive personal purpose.

### Conclusions

Unfortunately, our observations of the 28 institutions previously dealt with in this report indicate that few institutions fit the above-described mould.

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\* It is important to note that in spite of less than adequate physical facilities, several administrators have managed to maximize the resources to the fullest and therefore have developed what we consider to be good institutions, with high staff and inmate morale. We made earlier mention of such situations in the chapter dealing with Jails and Detention Centres, where we noted that the institutions in Hamilton, Kenora, Kitchener, Peterborough and Sault Ste. Marie showed the positive effects of good administration.

Some have excellent management-staff-inmate relations, but they also are plagued by overcrowding, understaffing, excessive overtime, and a paucity of programs and activities.

On the other hand, some have modern (and expensive) facilities and equipment but appear to be a constantly seething sea of discontent.

#### THE RIGHT TO VOTE

In the light of our opinion that the public's expectations of the Ministry - the detention and rehabilitation of offenders - is often frustrated by the very nature of custodial facilities and a lack of programs, we feel that the Ministry should act immediately to encourage inmates in Ontario to take a more active interest in Ontario society by urging the Government to amend The Ontario Election Act to allow them the right to vote in provincial elections.

This change would not only symbolize the Government's awareness that inmates, to be re-integrated properly into society, should be aware of and be given the opportunity to take part in one of the touchstone demonstrations of our democratic society, but it would also emphasize to Members of the Legislative Assembly that their constituents include those who have transgressed society's laws, who will return to the community, and who should be released with, hopefully, a more mature understanding of their role in the Ontario community.

At the same time, we hope that implementation of the following recommendation will encourage more members of the Legislature to regularly visit correctional facilities in their constituencies - in keeping with a government policy that any Member can enter any institution at any time without warning. \*

We suspect that had Members of the Legislative Assembly taken advantage of this opportunity to visit correctional facilities in the past, and had they brought to the public's attention some of the appalling conditions in some jails, such facilities would have undergone improvements long before now.

However, based on our observations and interviews, it is apparent that few Members venture into correctional

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\* The Honourable Allan Grossman, former Minister of Reform Institutions, said in the Legislature on June 19, 1975,

"... The Minister of Reform Institutions... voluntarily established the policy - there was no basis for it in legislation of anything of that nature - that any Member of this Legislature at any time, without warning, could go into any of the correctional institutions in this province."



settings. This may have caused the institutions to become islands unto themselves in a political sense.

There may exist a short-term political logic for withholding the right to vote from inmates in our jails, detention centres and other institutions. They carry no weight at the polls. They do not have to be considered as constituents by any Member.

The long-term logic, however, is different.

If, in fact, the people of Ontario and their elected representatives believe that their correctional institutions are supposed to rehabilitate offenders, then the Ministry must be given the opportunity to do so. We feel that allowing inmates the right to vote in provincial elections is one step in the rehabilitative process because it gives incarcerated people the opportunity to take personal responsibility for the election of those who will speak for them.

Based on our observations and experiences with inmates in provincial institutions, we also feel that a large number of them - many of whom are first-time incarcerates who have not lost their sense of personal and public responsibility - would take advantage of the opportunity to vote.

(Other jurisdictions are moving or have moved already in this direction. Inmates in British Columbia's correctional system - either on remand or serving sentences for summary conviction offences - are allowed to vote in provincial elections. The Danish Ombudsman has upheld a prisoner's right to vote. In 1976, California implemented a system of voter registration by mail. In 1972, Vermont enacted a law making ballots available to all prisoners. Massachusetts began registering inmate voters in 1976.)

As well as encouraging a sense of responsibility on the part of inmates and Members of the Legislative Assembly, we also feel that allowing inmates the right to vote will help to bring both the people involved in corrections - prisoners and correctional workers alike - and their institutions more into the public view, and if this ancillary benefit results, it can have far-reaching effects in terms of educating the public about its correctional facilities and the people who are sentenced to terms of imprisonment in them.

In light of the above comments, therefore,

29. WE RECOMMEND THAT THE ONTARIO ELECTION ACT BE AMENDED TO ALLOW INMATES IN PROVINCIAL JAILS, DETENTION CENTRES AND OTHER ADULT CORRECTIONAL INSTITUTIONS TO VOTE IN PROVINCIAL ELECTIONS.

## RECREATION

### SUMMARY AND CONCLUSIONS

It has been drawn to our attention on numerous occasions by both staff and inmates throughout the Province that recreational activities are of the utmost importance.

Varied recreational programs assist greatly in alleviating the boredom and monotony which results from being locked up in cells most of the time during one's incarceration. This boredom and inactivity causes restlessness, frustration and discontent among the inmate population and contributes to a large extent to a high level of tension.

In addition, due to the overcrowded conditions within the Province's correctional centres, many inmates who might otherwise be transferred to them are being held in jail settings for longer periods of time than necessary.

This overcrowding situation, coupled with the lack of physical space for programming and the resulting inmate inactivity, contributes to raised tension levels and lowered inmate morale. The combined factors of lengthy remands, delayed transfers, a lack of recreational programs and the overcrowded conditions produce unhealthy environments in which inmate frustrations could lead to explosive situations.

Therefore, we support the expansion of recreational programs, especially in maximum-security settings and particularly in jails and detention centres. Since recreation is viewed as one of the few outlets which can reduce tension, we suggest that this area be looked into immediately. An example which can be referred to where a jail has already commenced innovative programs is the Peterborough Jail.

It should be noted that recreational activities include such individualized activities as hobbycraft and weightlifting and do not necessarily involve group activities. Where group activities may be introduced, one could look to increasing the utilization of volunteers to assist in organizing such activities, as well as supervising inmates if manpower shortages are a problem.

## VOLUNTEERS

### CURRENT PROGRAMS

A major trend in the field of corrections over the past five years has been toward increased involvement of the community in the entire correctional process. According to the Volunteer Programs Branch of the Ministry of Correctional Services, there are currently some 4,000 volunteers offering services to the Ministry with 1,800 working in adult institutions. This increase in community involvement is evidenced by the fact that in 1971, when the Volunteer Programs Branch was established, only 400 volunteers were involved in institutional and probation problems.

Many individuals become involved in Ontario's institutions through existing organizations such as the John Howard Society or the Elizabeth Fry Society. Alternatively, others approach the Ministry directly. Another provincial source of recruitment is through the institutional volunteer co-ordinators who, through their own outreach, help to fill the needs of both inmates and staff in their setting.

The list of volunteer activities carried out by individuals who might not be associated with an organization is almost unlimited and almost any skill one may wish to offer can be the basis of involvement. Some current examples are: life skills instructor, group discussion leader, volunteer co-ordinator, creative writing instructor, drama teacher, chess player, hobbycraft instructor, budget cooking for singles teacher, reading instructor, etc.

The scope of volunteer work also includes self-help groups (Alcoholics Anonymous), religious groups of various denominations and the teaching of life skills by professionals and students associated with several universities and community colleges. We have already mentioned that social agencies such as the Elizabeth Fry and John Howard Societies fulfill a major role in the volunteer services that includes one-to-one contact with the inmate while he is in the institution as well as continued contact when the inmate is released and returned to the community.

Community, fraternal and service organizations have also been of great assistance through such groups as the Rotary Club, the Loyal Order of the Moose and the Jaycees. The various levels of government have also made services available to those incarcerated in the correctional system through Canada Manpower, the Addiction Research Foundation, Public Libraries and Health Services.

The Arts have entered the prison corridors through the ardent work of groups ranging from dance teams to musical groups. The Prison Art Foundation has encouraged inmates with an artistic talent to become involved and it has taken the art on tours across the Province as well as across the country.

Native inmates also have volunteers willing to meet their needs, through the availability of Native court counsellors and sessions on alcohol and drug use, all geared toward assisting Native offenders prepare for their re-entry into the community.

This list is not exhaustive and does not represent all of the various volunteer groups which visit and help inmates in Ministry institutions, and we were pleased to see that correctional volunteer work is not one-sided.

Several of the institutions have inmates who volunteer to work on special projects in the community. These projects range from helping in regional centres and psychiatric



hospitals to working in general hospitals or with handicapped children. Inmates assist in several recreational parks throughout the Province with coaching and refereeing children's sports. Some inmates have assisted in the Olympic Games for the Physically Handicapped and still others visit homes for the aged.

(A full list of volunteer services is contained in Appendix "H".)

#### SUMMARY AND RECOMMENDATIONS

It is our view that these volunteer activities, carried out by members of the community and by inmates themselves, make a significant and meaningful contribution to the Province's correctional system and, hopefully, to inmate rehabilitation as well.

We strongly endorse the use of volunteers in correctional settings and commend the Ministry for its obvious efforts to continue expanding this program into every institution. At the same time, we commend the thousands of Ontario citizens who contribute of their time and talents to help alleviate the sometimes numbing conditions under which many inmates are incarcerated.

If they had - each of them - the benefit of the overview of the Province's correctional system as we have had - they would see even more clearly the incredible importance of their contribution.

In light of the importance which we attach to the two-way volunteer activities already established, and also in view of the efforts being made to encourage the judiciary to impose sentences involving Community Service Orders in place of terms of incarceration for selected offenders,

30. (a) WE RECOMMEND THAT THE MINISTRY CONTINUE TO INVOLVE CITIZENS AND INMATES IN VOLUNTEER ACTIVITIES AND THAT THE MINISTRY CONFER IMMEDIATELY WITH COMMUNITY GROUPS WITH A VIEW TO IDENTIFYING TASKS WHICH COULD BE PERFORMED BY OFFENDERS SENTENCED UNDER COMMUNITY SERVICE ORDERS; AND
- (b) WE RECOMMEND THAT THE MINISTRY REGULARLY SUPPLY MEMBERS OF THE JUDICIARY WITH INFORMATION CONCERNING COMMUNITY TASKS WHICH COULD BE UNDERTAKEN BY SELECTED INMATES SENTENCED UNDER COMMUNITY SERVICE ORDERS.

## INSTITUTIONAL ADMINISTRATION

### SUMMARY AND CONCLUSIONS

Of all the levels which contribute to the level of institutional morale, we observed during our investigation that the single most important determinant is the quality of leadership provided by senior institutional administrators. While it would be a gross simplification to indicate that any one style of management will guarantee high institutional morale, the presence or absence of certain factors in administrative leadership appears to have a telling effect. Some of these crucial variables are as follows:

- (a) Communication - the administration regularly communicates all necessary information to staff and inmates, both in written and verbal form. The administration provides useful written guidelines for staff (standing orders, and for inmates, rules and regulations).
- (b) Consultation - in its efforts to foster communication, the administration creates regularized mechanisms for receiving communications from staff and inmates and responds in an appropriate manner to all input whatever its source or merits.
- (c) Decision-making - the administration demonstrates a willingness to make necessary decisions and carry them out. In this regard, the administration seeks appropriate consultation prior to decision-making and communicates decisions to all those who may be affected.
- (d) Delegation - the administration delegates responsibility for decisions to the appropriate level, having regard to accountability, and encourages independent action on the part of staff and inmates within prescribed limits.
- (e) Consistency - in its dealings with its staff and inmates, the administration treats like situations in a similar fashion, thus fostering a feeling of security in the expectations of both staff and inmates.
- (f) Flexibility - while recognizing the need for consistency, the administration deals with each inmate and staff member on an individual basis. Within the confines of the necessary guidelines in

the operation of the institution, the administration interprets those guidelines with a view to meeting the individual requirements of each situation.

While the above list is by no means exhaustive, it serves to emphasize the importance which we attach to sound and innovative institutional leadership.\* The importance of proper selection, training and development of senior institutional administrators cannot be overstressed when one considers the impact of leadership on institutional morale.

There are no easy solutions to the important morale problems currently facing a large number of Ontario's adult institutions, but we feel strongly that if it is seen fit to implement the recommendations contained in this report, the Government and the Ministry, as well as the institutional staff members and the inmates, and the public will benefit from having a correctional system which, at the very least, will be equipped with the necessary tools to carry out the duties demanded of it.

#### INTERMITTENT INMATES

##### SUMMARY AND RECOMMENDATIONS

We have already commented on the laudable program of sentencing selected offenders to serve their terms of incarceration on an intermittent basis - usually on weekends - and at the same time, we have also pointed out that, in certain instances, the housing of large numbers of such inmates contributes to the overcrowding problem in jails.

Based on our observations and discussions in connection with this report, and with particular reference to the procedures established with regard to intermittent inmates at the Peterborough and Whitby Jails,

31. WE RECOMMEND THAT THE MINISTRY, EITHER THROUGH THE ALREADY PROPOSED PROVINCIAL AND LOCAL ADVISORY COMMITTEES,\*\* OR THROUGH DIRECT COMMUNICATION WITH MEMBERS OF THE PROVINCIAL AND COUNTY COURT BENCH, ENCOURAGE MEMBERS OF THE JUDICIARY, IN CASES WHERE IT IS FELT THAT NOTHING SHORT OF A PRISON SENTENCE WILL SUFFICE, TO, WHERE POSSIBLE, RESTRICT THE IMPOSITION OF INTERMITTENT SENTENCES AND ADOPT INSTEAD "STRAIGHT TIME" SENTENCES WHICH WOULD BE CONVERTED IMMEDIATELY, FOR SUCH MINIMUM

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\* As Already noted, we feel that such leadership has been provided by the Superintendents of the Hamilton, Kenora, Kitchener, Peterborough and Sault Ste. Marie Jails.

\*\* The reasons for creating these committees and their suggested compositions are outlined in Recommendations 4 and 5.



SECURITY OFFENDERS, INTO TEMPORARY ABSENCE PROGRAM SENTENCES. THE INTERMITTENT SENTENCE IS APPROPRIATE IN RELATION TO JAILS THAT DO NOT HAVE PROBLEMS WITH OVER-CROWDING AND SECURITY. THE APPROPRIATE PROVINCIAL AND LOCAL ADVISORY COMMITTEE CAN INFORM THE JUDICIARY WHEN THE IMPOSITION OF AN INTERMITTENT SENTENCE WOULD NEGATIVELY TAX THE FACILITY'S RESOURCES.

#### TEMPORARY ABSENCE PROGRAM

##### Preliminary Remarks

From the inception of the Temporary Absence Program in 1969 to March 31, 1976, 42,852 inmates were permitted to serve all or part of their court-imposed sentences under the Temporary Absence Program.

Through this program, inmates who are judged to be low security risks are allowed into the community for academic, employment and other rehabilitation purposes, and the program's success rate has remained at a gratifying 98%.

Broadly speaking, the program excludes offenders serving sentences for serious crimes and the four stage decision-making process appears to ensure that only those who are of virtually no risk whatsoever to the community are allowed on the program.

##### Decision-Making Process

A recent study of the use of the Temporary Absence Program for employment purposes (Ministry of Correctional Services, L. Crispino, December, 1975) reviewed the four decision-making stages involved in approving applications for such programs.

The following is a brief outline of the steps involved, once an inmate has applied for an employment T.A.P.

First, an institutional T.A.P. committee of three meets and assesses the inmate's application in consultation with the institutional T.A.P. Supervisor, where one exists.

The institutional committee usually includes correctional officers, T.A.P. Supervisors, Psychologists, Psychiatrists, teachers and classification officers.

Once this group has reached agreement, its recommendation on the inmate's application is forwarded to the institutional Superintendent.

Second, the Superintendent reviews the decision reached by the institutional T.A.P. committee, and his/her recommendation is then forwarded to the Ministry's main office in Toronto.

Third, the Ministry's main office T.A.P. committee reviews the institutional recommendation and it makes its recommendation to the Ministry's T.A.P. Coordinator.

Fourth, the Ministry's T.A.P. Coordinator decides on whether to grant or reject the inmate's application.

According to the Crispino study, on page one,

"Comparison of all four decision-making stages indicates that the main office decision-makers are somewhat more conservative in terms of favourable dispositions than are those at the institutional level. The first two stages show a high level of decision outcome agreement."

At page ten, the Crispino study notes,

"... it appears that if an applicant is not recommended for approval at the institutional T.A.P. Committee level, there will be little chance that he will be approved by the subsequent stages..."

"Each subsequent stage becomes more cautious."

The Study concluded, however, on page twelve, that

"In almost nine out of ten cases the decision made at stage I is the same as that made by the other three stages."

When comparing the success of inmate employment T.A.P. applications, the study found that those made by inmates in jails tended to receive a higher rate of approval than those made by inmates in correctional centres, and the Study comments on page eighteen,

"Jails tend to house less serious offenders than do correctional centres, at least with respect to those inmates eligible for T.A.P."

"Furthermore, because jail inmates, for the most part, are individuals from the same community, the possibilities for returning to gainful employment are much greater."

In its conclusions, the Crispino Study notes, on page forty-three,

"...it becomes apparent that there was a high degree of consistency in the pattern of dispositions amongst the four stages."

"One would expect a substantial amount of agreement to exist, but not to the point where roughly nine out of ten cases are disposed of with the same decision outcome at all four stages.

"Clearly, this would seem to negate the need for so many stages in the decision-making process when the final outcome of an application can be fairly accurately predicted by knowing what the decision outcome was at the institutional levels. This system has served a very useful purpose by assisting in the growth and development of the Program.

"At present, however, the system has become somewhat cumbersome in its operation.

"The obvious and necessary question must be asked, 'Can the decision-making process be modified in order to improve on the overall effectiveness and efficiency of the Temporary Absence Program?'

"It is the feeling of the author that based on the data derived from this study, the answer to this question must be in the affirmative. The following recommendation is then proposed:

That the authority to approve or deny all employment Temporary Absence applications be delegated to the Superintendents."

#### SUMMARY AND RECOMMENDATIONS

We concur with the recommendation contained in the Crispino Study and feel that the implementation of such a recommendation - provided the Main Office contributes a policy guideline and monitoring role - will serve to reduce delays in the approval of T.A.P. applications for employment purposes without posing any additional risk to the community.

32. WE THEREFORE RECOMMEND THAT THE AUTHORITY TO APPROVE OR DENY ALL EMPLOYMENT TEMPORARY ABSENCE APPLICATIONS BE DELEGATED TO INSTITUTIONAL SUPERINTENDENTS.

With particular reference to the Toronto Jail, the largest such institution in the Province which handles hundreds of T.A.P. applications each month, our observations



have led us to conclude that the current T.A.P. Coordinator is, because of the volume of applications he must process, unable to fully assess employment T.A.P. applications.

33. WE THEREFORE RECOMMEND THAT THE TORONTO JAIL T.A.P. STAFF COMPLEMENT BE INCREASED BY THE APPOINTMENT OF AN ASSISTANT T.A.P. COORDINATOR SO AS TO ALLOW A MORE IN-DEPTH ASSESSMENT OF INMATE T.A.P. EMPLOYMENT APPLICATIONS.

### CONCLUSIONS

Throughout this Correctional Institutions Report, we have made reference to the often mind-numbing conditions under which many Ontario inmates must live and many correctional personnel must work.

To a large extent, we feel that the pressures on and within the corrections system, which prompted hundreds of complaints to our office as well as the October, 1975, C.S.A.O. statement, were brought about as a result of increasing numbers of individuals being crowded into facilities which were unable to humanely accommodate them - much less attempt to rehabilitate them.

In the numerous recommendations we have made, relating both to individual institutions as well as to Ministry-wide programs and procedures, the Office of the Ombudsman has attempted to make a positive contribution toward alleviating some of the most pressing problems, but our one overriding concern - inmate overcrowding - has proved to be the one problem area least likely to be affected by any of our recommendations.

The reason for this is simple. No matter what the Office of the Ombudsman might recommend to the Ministry of Correctional Services concerning how the Ministry should deal with those in its care, neither the Ombudsman nor the Ministry has any control over the number of inmates in Ontario's jails, detention centres and correctional institutions.

Although this is a report dealing with the major problems confronting the Ministry of Correctional Services as it attempts to carry out the two duties imposed upon it by the Government, we do not feel it is out of place for us to comment on our view of the efforts that other segments of the criminal justice system might make - in the context of a comprehensive, large-scale, province-wide program - to decrease the public's reliance on the highly symbolic, but discouragingly failure-ridden and costly resort to incarceration either before or after the trial of an accused.

The Law Reform Commission of Canada's ideas concerning the use of police discretion and mediation powers are well-known as are its proposals for an increased exercise of judicial discretion involving restitution programs and Community Service Orders.

Unfortunately, until recently, the Commission's proposals did not appear to have had a noticeable practical effect on the Ontario criminal justice system.

Instead, the past few years have witnessed an increase in the expenditure of public funds to expand the ability of the police to arrest and the courts to process offenders.

This is not to suggest criticism of either agency. Both have onerous duties to perform in protecting society's core values through the use of the criminal law, and we recognize that, to a large extent, it is public opinion which, at any given time, has a considerable impact on the amount of discretion the police or the courts can exercise in diverting suspected or convicted offenders out of traditional correctional institutions.

However, the inevitable result can be seen in the overcrowding crisis which has existed for some years in Ontario's correctional system, a crisis which makes it virtually impossible for the Ministry of Correctional Services to effectively detain inmates and, at the same time, attempt to rehabilitate them for productive and law-abiding lives when they return (as they will) to society.

It is in light of this near-crisis situation which has plagued the Ministry for the past few years that we have been encouraged to see senior judicial and government figures speaking out on the need to make less use of imprisonment and more use of community-based sanctions.

Chief Justice Willard Estey, for example, in an interview in The Toronto Star on December 8, 1975, said, in part, that Canadians heed "the view that for every wrong there shall be a prison term." He continued:

"There is, in the North American community, the prevalent idea that the way out of our crime difficulties is through the prisons, but that seems to me to be the way into those difficulties.

"We are putting into our jailhouses a great number of people who commit offences against property which really don't warrant automatic imprisonment."

During the fiscal year 1976-77, the Ministry of Correctional Services housed 59,362 prisoners in its jails and detention centres prior to trial. They had been charged with the following types of crimes. (Source: Ministry of Correctional Services)

<u>Crimes</u>	<u>Total</u>	<u>% of Total</u>
Against the Person	4,784	4.8
Against Property	23,066	23.3
Against Public Order and Peace	7,106	7.2
Against Public Morals and Decency	864	.9
Liquor Offences	22,721	23.0
Drug Offences	4,642	4.7
Traffic Offences	29,774	30.1
Miscellaneous	<u>5,998</u>	<u>6.0</u>
	<u>90,955</u>	<u>100.0</u>

Chief Justice Estey, in the same interview, said that not only may imprisonment be unnecessary in a number of cases, but it is a costly device for law-abiding tax-paying citizens who must pay the staggering bills associated with incarceration.

He said alternatives to imprisonment should be seriously considered.

"There has to be some way to create a socially valuable asset out of a penalty.... There must be some way to penalize the offender without penalizing the taxpayer."

As we mentioned earlier, it is our hope that all those involved in or interested in the criminal justice system will support, as we do, attempts to reduce our society's reliance on imprisonment. In this regard, we quote from page 187 of the 1969 Report of the Canadian Committee on Corrections, which states:

"The penitential theory has a fundamental defect in that it rests on the proposition that an offender must be imprisoned in order to provide an opportunity for his reform.

"There is mounting evidence that treatment in community may frequently be much more effective."

We are in full agreement with the Committee's comment concerning the "fundamental defect" of the penitential theory, and we also support the view of the Law Reform Commission of Canada, which states at p. 11 of its publication, Our Criminal Law,

"Canada, it has been shown, is one of the harshest Western countries when it



comes to prison sentences. Many of the terms imposed are far too long, half the people in prison should never be there, and so many are in gaol that those few needing real care and attention cannot get it. Indeed the whole system resembles a vast machine sucking people in one end, spewing them out the other and then sucking them back in again - a self-generating mechanism, certainly not a human process."

The case of Regina v. Hargie [23 C.C.C. (2nd) p.240] gives, in our view, judicial sanction to the recommendation of the 1969 Canadian Committee on Corrections that courts should imprison the casual offender only when no other disposition is appropriate.

In that case, His Honour Judge Waisberg of the County Court on January 20, 1975, gave reasons for the sentencing of the accused on a charge of assault causing bodily harm.

In his reasons for judgement, Judge Waisberg noted that the accused had been charged with manslaughter in connection with the death of another man. The accused pleaded not guilty to that charge and after considerable evidence had been led, the accused then changed his plea to guilty to the lesser and included offence of assault causing bodily harm.

This plea was accepted by the court and the jury, and Judge Waisberg said,

"It was apparent to me that the jury was of the opinion that the accused had not behaved in a very bad manner. In my opinion, Mr. Hargie is guilty only of assault causing bodily harm. When threatened by his uncle, Mr. Donald, he over-reacted and punched him on the nose and then kicked him. That is blameworthy conduct but it should be borne in mind that both men had been drinking. If Mr. Donald had not died the matter would have been disposed of in all likelihood in the Provincial Court in the same manner as many other such incidents. The death of Mr. Donald is tragic and unfortunate but on the evidence is not attributable to the conduct of Mr. Hargie. I am satisfied that he is more distressed by this unfortunate accident than anyone else."

After acknowledging the assistance of counsel and the help provided by a pre-sentence report, Judge Waisberg considered the factors which guided him in deciding on an appropriate sentence.

One such factor was a statement of the 1969 Canadian Committee on Corrections, which stated at page 185 of its report,

"The overall views of the Committee may be summed up as follows: segregate the dangerous, deter and restrain the rationally-motivated professional criminal, deal as constructively as possible with every offender as the circumstances of the case permit, release the harmless, imprison the casual offender not committed to a criminal career only where no other disposition is appropriate. In every disposition the possibility of rehabilitation should be taken into account."

Judge Waisberg continued,

"The evidence, the pre-sentence report and everything that has been said by counsel makes it abundantly clear that Mr. Hargie is not a dangerous person and that he is not a professional criminal; that he is a harmless person guilty of a casual offence and that some other disposition is available....

"We must not lose sight of the fact that a Court sentences offenders and not offences. In this case the offender is described in the pre-sentence report as a person about whom it would be manifestly impossible to write a negative pre-sentence report. He has no previous criminal record. He is 27 years old, a good husband and father of two young children. He has a good work record. All these positive factors beg for consideration on his behalf. On the other hand, I have reason to fear that any term in prison, even a short one, could have a dangerous effect upon him. He has already suffered a severe shock from this incident. Accordingly, I think this is a proper case in which to suspend sentence, and I therefore suspend sentence for two years and place Mr. Hargie on probation."

The full text of Judge Waisberg's judgement is contained in Appendix "I".

Although there is no doubt that the case of Regina v. Hargie was an exceptional one on the facts, we feel that the principles stated by His Honour in sentencing deserve special attention by all those concerned with the operation of the criminal justice system in Ontario.

At the same time, we support the recently announced pilot program to encourage Ontario's judges to use community work projects as a sentencing alternative and hope that these and other initiatives will be fully explored with a view to decreasing the current reliance on imprisonment as a sentencing option.

Our views are, we feel, supported by the numerous publications by the Law Reform Commission of Canada and also the already-noted comments made by Chief Justice Willard Estey concerning the use of imprisonment.

The Law Reform Commission of Canada, in its Working Paper 11, "Imprisonment and Release" states at page 6,

"In Canada today, on any one day, roughly one in every 1,000 residents is serving time in a penal institution - a total of 20,000 imprisoned adult offenders. Although statistics are inaccurate on this subject, it is estimated that over 75,000 persons are incarcerated each year either in federal penitentiaries, in provincial institutions, or in municipal jails.

"Close to one-half of the 4,000 persons sent to penitentiaries each year are serving sentences for having committed non-violent offences against property or the public order. Indeed, less than 20 per cent of offenders are imprisoned for committing acts of violence against the person. Statistics reveal similar results in respect of provincial institutions.

"Almost 50 per cent of prisoners in some provincial institutions were imprisoned because they could not pay fines.

"A study by the Commission showed that one out of every seven persons appearing in court for the first time in Canada and convicted of a non-violent offence against property was imprisoned. On a second conviction for a non-violent property offence almost 50 per cent of offenders were imprisoned. In the light of this type of information we must ask, what do we hope to accomplish by using imprisonment?

"Far from having fulfilled its humanitarian expectations, imprisonment today is seen to be a costly sanction that ought only to be used as a last resort. It is costly to society, to the prisoners and to the guards and prison officials as individuals. How do these costs manifest themselves? To keep a person in a prison costs around \$14,000 a year depending upon the nature of the institution.



"In addition, there are the indirect costs arising out of welfare and increased social services to the prisoner's family. It is difficult to see how an expenditure of \$14,000 can be justified unless the harm done is correspondingly high and cannot be paid back except through imprisonment."

The Law Reform Commission, having raised the questions about the efficacy of incarceration - both in human and economic terms - provided, in our view, a worthwhile assessment of the types of alternatives to imprisonment that should be considered carefully by all those concerned with the criminal justice system.

In its report, Our Criminal Law, the Commission states at page 24,

"Remove all regulatory offences from the criminal regime, divert less serious real crimes outside the traditional system and there still remains a hard core of real crimes needing traditional trials and serious punishments. Here too we need restraint. For one thing, the cost of criminal law to the offender, the taxpayer and all of us - must always be kept as low as possible. For another, the danger with all punishments is simply that familiarity breeds contempt. The harsher the punishment, the slower we should be to use it. This applies especially to punishments of last resort.

"The major punishment of last resort is prison. This is today the ultimate weapon of the criminal law. As such it must be used sparingly. We would restrict it to three kinds of cases: (1) for offenders too dangerous to leave at large; (2) for offenders for which, as things are now, no other adequate denunciation presently exists; and (3) for offenders wilfully refusing to submit to other punishments. For these three cases prison is the penalty of last resort.

"Restricting our use of imprisonment will allow more scope for other types of penalties. One penalty our system should use more extensively is the restitution order. To compel offenders to make restitution to their victims is one of the most fruitful types of punishment. It brings home to the offender the wrong he has done his victim, it meets the real needs of the victim himself, and it satisfies society's sense of justice and the desire to see the offender is not profiting at the expense of his victim's suffering. Restitution has a vital place in any decent criminal justice system.

"Equally vital is a second kind of reparation. Although one victim of a crime is the individual who is wronged, another victim is society whose values have been threatened and infringed. Society too has a claim to reparation - a claim not satisfied by 'payment in the hard coinage of imprisonment.' The claim is better met by more creative penalties like community service orders compelling the offender to do something positive to make up for the wrong he has done society.

"Positive penalties like restitution and community service orders should be increasingly substituted for the negative and uncreative warehousing of prison."

In recent years, there have been localized programs undertaken (most notably in Ottawa) to experiment with restitution procedures, and, from time to time, individual judges have made community service orders a penalty option for selected offenders.

We are pleased to see, however, that within the past few months, members of the Government have attempted to encourage more members of the judiciary to find alternatives to incarceration for offenders who could be dealt with safely in a community setting.

In May, 1977, for example, Attorney-General Roy McMurtry announced that a \$173,000 pilot program would begin in late 1977 and would involve, initially, young offenders found guilty of non-violent crimes.

According to a report in The Globe and Mail on May 17, 1977,

"Mr. McMurtry said that working on community projects would help young offenders 'develop a greater realization of the debt they owe society as a whole.

"We have to face up to the fact that incarceration has not been very successful.'"

The Attorney-General's comment on the lack of effectiveness of penal settings for instilling into offenders a sense of their responsibility toward society is, in our opinion, eminently sensible and valid, and we hope that the program he announced - a tentative step in the direction of encouraging the courts to consider community-related work as a viable and more meaningful criminal law sanction than imprisonment - will be publicized, successful and expanded.

In that regard, we were pleased to note that the recently-appointed Minister of Correctional Services, Frank Drea, commented on September 21, 1977 - the day of his swearing-in - on his support for the concept of community service orders.

According to a report in The Globe and Mail on September 22, 1977,

"He explained that he would press judges to sentence people convicted of minor offences - vandalism, non-payment of traffic tickets and petty theft - to a few days of work in the community, cleaning up parks, 'work that isn't being done by anyone because the public can't afford it.'...

"The new Minister said diverting petty offenders to community work will eliminate overcrowding in jails and allow jail guards and administrators to concentrate their efforts on prisoners who need the attention."

We are encouraged by such statements and urge the Minister and the Attorney-General to work closely together in an attempt to encourage judges to make as extensive a use of diversion programs and procedures as possible.

At the same time, we suggest that the two Ministers take every opportunity to point out to lawyers, police, offenders, community groups, the media and the public the benefits which would and could accrue to society through less reliance on the expensive resort to penal sanctions for many offenders.

In the same newspaper article, the new Corrections Minister commented on the practice of some individuals who refuse to pay their traffic tickets, knowing they will eventually only have to spend a weekend in jail when they are finally caught.

"'If you want to abuse the law and be a smart alec and laugh all the way out of court because you're going to spend the weekend in jail, well, you're going to have to pay for it,' he said."

The Deputy Minister of Correctional Services, Mr. Glenn Thompson, pointed out in the same article that of the 55,000 people who are held in custody in Ontario's jails each year, about half serve sentences of 10 days or less for minor offences.

Obviously, a great deal of the current strain on correctional facilities - especially on jails and detention centres - would be alleviated if some other method were found of dealing with such casual offenders.

It makes sense to us that substituting worthwhile community work for short-term jail sentences not only would positively influence this type of offender, but also would provide a benefit to the community at large, not only through



a reduction in the tremendous financial costs which society bears when it resorts to incarceration but also through the labour expended on its behalf by those who would otherwise simply take up much-needed space and staff attention in the province's correctional facilities.

We were pleased to see that the Federal Minister of Justice, in a speech prepared for a Quebec City conference on October 24, 1977, said that the next omnibus Criminal Code amending bill will provide for community work orders, restitution and other options to fines and jail terms -

"What we must look for are flexible, more humane and less costly ways of dealing with offenders, especially minor offenders," Mr. Basford said.\*

At the same time, we hope that both the Minister of Correctional Services and the Attorney-General will continue to urge the Bench to consider community service orders as a penalty option to those offences which under present practice now carry a fine-jail term sentence.

Considering that during the fiscal year ended March 31, 1977, some 11,712 people were released from the province's jails and detention centres after paying fines, it appears likely to us that many of those who serve such sentences could be added to the community service order program.

Taking all these considerations and benefits into account, we urge both the Minister of Correctional Services and the Attorney-General to spare no effort to educate all segments of the public to the advantages to be derived from implementing a province-wide system of community service orders as soon as possible.

The observations and concerns noted in this report about the paradoxical effect on society of imprisoning so many offenders raise the important question of how the public and the Legislature can become better informed about the now almost universally-held view that correctional facilities - few if any of which actually "correct" those they house - are no more effective (but a great deal more expensive) than other methods of dealing with lawbreakers.

Given that concern, it is unfortunate that, too often, the citizens of Ontario are not given a more comprehensive and regular summary of efforts made by thousands of people every day respecting the detention, rehabilitation and supervision of that minority which transgresses society's criminal laws.

This lack of basic knowledge and understanding is not a new phenomenon nor should it be a surprising one.

The public, to a large extent, necessarily receives almost all of its information about the criminal justice

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\* The Globe and Mail, Toronto, October 25, 1977, p. 8.

system - the police, courts, prisons, probation and parole bodies - through the media, which present information in both news and entertainment terms.

In whatever context the media presents such information, however, little of it is capable of giving the citizen a true picture of the complexities involved in dealing with those who are labeled as criminals.

But obviously, the media - which works to a never-ceasing timetable of hourly, daily or weekly deadlines - cannot be solely responsible for the images it serves up to the public.

It is true, of course, that members of the media pick and choose those items which they consider to be "news", but hand in hand with their perceptions of what defines that word is their perception of what the public considers to be new, important or significant in society.

In the opinion of at least one influential North American journalist, the members of a democratic society have a duty and a responsibility to become informed of events in their surroundings, but increasingly the public is forced to rely on the information which is made available to it through the media.

The media in turn relies to a great extent both on "events" and on the information provided to it by those bodies which affect society.

A prison escape or riot, for example, inspires numerous "feature" stories dealing with prison conditions, inmate and staff grievances and the like, but because, thankfully, of the rarity of such occurrences, the public's perception of the day-to-day role of corrections in society is advanced very little.

As for the media's coverage of the criminal justice system as a whole, most emphasis is put on sensational crimes, court cases and prison disturbances. While such events may provide exciting headlines and stories, they are rarely put into any kind of meaningful context which would allow the public to form sophisticated views about present-day crime and punishment.

One of the bodies which most affects Ontario society, of course, is the Government, and focusing on that segment of the Government charged with the responsibility for detaining and rehabilitating criminal law offenders in particular, is the Ministry of Correctional Services.

In the most recent Annual Report of the Ministry, for the year ended March 31, 1976, the Deputy Minister commented that, "Community understanding and acceptance of this Ministry's programs and objectives is essential."

We agree completely with the Deputy Minister's statement, and, without denigrating the obvious efforts made by Ministry personnel in providing the media with information



about Ministry programs, we feel that additional efforts should be made to communicate Ministry responsibilities, programs, plans and problems to the public on a regular basis.

It is our view, for example, that the Ministry should take steps to ensure that its Annual Reports are issued more rapidly after the end of the fiscal year than is now the case.\* As well, the reports themselves should more comprehensively put into perspective the Ministry's role in the entire criminal justice system and point out in clear detail the problems facing the Ministry, its employees, those under its control, as well as the public.

In addition, we feel that the Ministry should take positive steps to bring to the attention of the media and the public, on an on-going basis (as opposed to Annual Report summaries) the problems it faces in carrying out its twin mandate.

Such initiatives, if accompanied by media interest, would help alleviate the public's current lack of knowledge about the Ministry's activities and would, at the same time, make the public more aware of the long-term societal costs associated with the criminal justice system's reliance (no doubt partially motivated by the system's perception of the public's will) on imprisonment as a tool of protection.

At the same time, the Ministry should continue to bring to the media's and the public's attention the positive programs initiated to rehabilitate offenders in its care.

As we have pointed out, many if not most of the problems affecting the Ministry's ability to carry out the twin mandate imposed on it by the Government have been brought about over the past few years because of overcrowding. As we have also pointed out, the Ministry has no choice but to attempt - under the most adverse conditions - to deal with the thousands of people annually incarcerated either at the direction of the police or the courts.

Our observations of the many jails, detention centres, and correctional institutions throughout the province since the inception of this office have led us to the conclusion that the Ministry will have no opportunity to fulfill its obligations unless it is allowed to replace some or all of its century-old jails and unless both the police and the courts exercise the most stringent restraint in their use of jails, detention centres and correctional institutions.

Because of this conclusion, we are pleased - as we have already indicated - that both the Attorney-General and the Minister of Correctional Services are publicizing their

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\* The report for the fiscal year ending March 31, 1974, was not available until October 30, 1974; for the fiscal year ending March 31, 1975, not until October 29, 1975; and for the fiscal year ending March 31, 1976, not until November 26, 1976.



desire to see less use made of institutional settings and more reliance placed on community-based corrections systems.

At the same time, we feel it is a most encouraging sign that senior members of the judiciary in Ontario are, through their public statements and courtroom decisions, giving weight to what we hope will continue to be a trend towards more use of such diversionary procedures as restitution and community service orders.

It is our view that the correctional system in Ontario has undergone an inordinate amount of strain over the past five years and it is surprising that so few disruptive incidents have occurred.

Surprise, however, should never be a component of a rational and just corrections system. Instead, Ontario should continue to strive towards arriving at a set of procedures and standards which ensure that correctional workers, inmates and the public alike are being well-served by its justice system.

The Office of the Ombudsman, through this report and its daily efforts on behalf of those involved in the operation of the province's correctional facilities, will continue to work towards this goal, and we encourage all others associated with the criminal justice system - the public, the police, the courts, the media, correctional administrators and workers and Government leaders - to become aware of the complexities associated with the use of imprisonment and to join together in efforts to restrain society's reliance on incarceration and to rely as much as possible instead on supervising and rehabilitating offenders in the communities to which they will return.

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It will have become clear from a reading of this report that in December, 1977, final revisions were completed in light of the representations made by the Deputy Minister, Mr. Glenn Thompson, in his letter to the Ombudsman of December 1, 1977.

This letter, reproduced in Appendix "J", was written pursuant to section 19(3) of The Ombudsman Act, which reads in part as follows:

"... if at any time during the course of an investigation, it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any governmental organization or person, he shall give to that organization or

person an opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel."

The Ombudsman gave full and careful consideration to the Deputy Minister's representations and appropriate amendments were made to the report.

*Ann M. H. H. H.*

*Ombudsman of Ontario*

*December 21<sup>st</sup>, 1977*

A P P E N D I C E S





APPENDIX "A"

STATEMENT BY VIC COOPER

Director, Correctional Services Division

Civil Service Association of Ontario

October 31, 1975

Ladies and gentlemen of the media, thank you for coming. This conference has been called to expose a provincial disgrace -- a disgrace which not only involves the wasting of taxpayers' money but which also involves treatment of inmates in the Ontario correctional system which borders on being inhuman, as well as providing a threat to the lives and property of Ontario citizens and a danger to the lives of the correctional officers who staff the institutions.

Ontario's correctional system is ready to burst at the seams because the facilities currently in use have nowhere close to the capacity necessary to house the inmates being sent to the system from the courts.

The problem is particularly acute in the county jails, many of which were built near the turn of the century and designed to serve communities with but a small fraction of the population that these same institutions currently serve. That basic problem is compounded by Ministry of Correctional Services' policy which has increased the length of sentences which can be served in the jails from 30 to 90 days, clogging up what was meant to be a clearing house in which prisoners awaiting trial were housed and where short-term sentences could be served.

Increasing the stay of prisoners at the county jails produces a bottleneck which slows down the flow of prisoners through the system. And since new prisoners come into the jails faster than they are moved out to the institutions where they should serve their sentences, congestion naturally occurs.

What little slack capacity exists in the entire system can be found only in the correctional centres which were designed to house inmates serving longer-term sentences. This capacity is not used efficiently resulting in prisoners remaining in the county jails for as much as eight months.

Thus we find jails like that at Sault Ste. Marie, with a capacity of 30 inmates, having a normal prisoner count in excess of 70 and as high as 80 on occasion, the Brampton Jail, with a capacity of 32, having a normal prisoner count in excess of 50 and on occasion, more than 60, and the Don Jail with a count often exceeding 800 when its capacity for the proper housing of inmates is in the neighborhood of 600.

Most jails in Ontario have seen the doubling up of beds in their cell areas, dramatically reducing the living space available to inmates and nearly all of them have had occasion to sleep inmates on the floor when there were just not enough beds available.

We realize that the Ontario government was stuck with a large number of outdated and inadequate buildings when it took over the old county jail system and we understand that building new facilities is an expensive proposition which takes considerable time.

However, the government compounded its own problems by closing the Burwash Correctional Centre which took 800 beds out of the provincial correctional system. Many of our members believe that the overcrowding problem actually started when Burwash was closed.

We will be recommending to the Shapiro Commission that Burwash be re-opened, at least as short term solution to take the pressure off the overburdened correctional system.

We will also recommend that the length of sentences to be served at jails be returned to 30 days and that the Ministry of Correctional Services strictly follows that guideline.

If jails are returned to their proper function of holding prisoners for trial and housing prisoners serving sentences of 30 days and less, we recommend that the rehabilitation program be taken out of the jails and concentrated on the institutions where convicted prisoners serve longer-term sentences. Rehabilitation programs in jails have long been ineffective because of the lack of facilities available for them. Correctional Centres are designed to provide rehabilitation and when the system works, it is these institutions, along with the training centres, which retain inmates long enough for rehabilitation programs to be effective.

None of our members feel there is sufficient staff at their institutions to properly perform the required functions and still provide proper security in the institutions and a measure of safety for the correctional officers.

The current system of identifying specific fixed positions is adequate to determine the number of correctional officers required to meet the bare staffing necessities of an institution but even when the need for additional complement is proved, it is almost impossible to obtain that complement from the Ministry.

We are not blaming the Ministry officials on this issue. This is a political problem brought on by the Ontario government's much publicized freeze on the civil service. The Ontario government is unwilling to provide the necessary manpower to provide secure institutions which are safe for correctional officers to work in just so it can tell the electorate of Ontario that it is holding down the size of the civil service.



It took a jail break at the Ottawa Jail in which two correctional officers were shot and one taken hostage to pry a complement increase of 16 men out of the province. And if the government does not start considering the needs of the correctional system above the requirements of its own political strategy, the Ottawa situation will occur in institutions all across the province.

We also believe that the government could increase the correctional officer complement with little additional expense if it trimmed some of the fat from its administrative superstructure. Our research indicates that it currently takes five administrative personnel to support one correctional officer on the line.

Money has to be spent updating and maintaining the existing equipment in the correctional system. Situations exist such as that in the Brampton Jail where 50 or more inmates have to be processed through a single shower and where all laundry for those men, including their clothes, bed linen and towels, is handled by a single automatic washer and dryer identical to those used in a private home to serve a family of four or five. Nearly all institutions experience chronic shortages of towels, socks, underwear and often bed linen.

Security problems throughout the system stem primarily from two sources -- inmate access to weapons and an improper and inconsistent method of classifying prisoners.

In almost every institution in the province, inmates are supplied with Melmac-type plastic cups which can be broken by simply dropping them on the floor. When broken, the cups can be and are used as weapons against other inmates and correctional officers. The solution to this problem is simple. Those cups should be replaced by paper or styrofoam cups.

Correctional centres and training centres with large grounds surrounding them often experience the problem of inmates obtaining weapons which have been hidden in the grass by friends on the outside. There should be an interior perimeter fence far enough away from the fence at the property boundaries to prevent friends of inmates from throwing weapons into the areas to which inmates have access. Large recreational grounds should be divided into smaller sections to limit the wandering of prisoners. These smaller sections could be more easily searched prior to allowing inmates to use them. There should also be wider use of metal detectors at these institutions so hidden weapons could be more easily discovered on returning inmates.

The practice of allowing inmates who are awaiting trial to wear their own clothes in the jail must be eliminated. Prisoners have been able to smuggle drugs and razor blades into jails in their clothing and while that clothing is searched, it is practically impossible to find all hidden drugs and weapons without tearing that clothing apart.

In all jails there should be proper admitting facilities which allow for the immediate lockup of new prisoners brought in by police. In many jails, groups of new prisoners are brought directly into the control area before they have been searched because the proper admitting facilities do not exist.

The whole area of classifying inmates has to be cleaned up and made much more strict. Prisoners with past records of violent crime are not always sent to maximum security facilities. Often they appear at institutions where in the normal course of that institution's activities they have access to dangerous weapons. Through the same classification system, such dangerous criminals are often housed with prisoners who have only a minor criminal record.

We will recommend to the Shapiro Commission that strict criteria for prisoner classification be developed and that a prisoner's past criminal record, and his past behavioral record as an inmate be considered when deciding where he should serve his sentence; as well as considering the current offence for which he is serving that sentence. We realize that the body determining where prisoners should be sent must also consider the availability of space to house inmates but that classification body should make every effort to house inmates in the institutions best capable of handling them.

The same problem exists within institutions regarding the selection of inmates for work teams. These inmates are allowed out of confinement and many, especially the kitchen help, have access to dangerous weapons. It is essential to the security of the institutions and the safety of the correctional officers that the proper people are chosen for the jobs.

We will therefore recommend that the same criteria be applied to all inmates being considered for participation on work teams and we will further recommend that correctional officers be given a voice on the board selecting work teams within the institutions.

Our members are becoming increasingly upset about the general downgrading of discipline at the institutions. Charges laid by correctional officers against inmates are constantly dismissed out of hand. Punishment sentences are either too light or subsequently reduced to the point where they are meaningless. And the result of this lack of discipline is a situation in all institutions where inmates refuse to follow instructions, who refuse to keep the institutions clean and who do not hesitate to attack a correctional officer.

We will recommend that criteria be developed for determining the type of punishment sentence to be handed down for specific offences and that the institutions' superintendents be compelled to apply the sentence specified for the offence. We will further recommend that punishment sentences be

served to their completion without reduction and that everyone, inmates, administration and correctional officers alike be informed of the punishment criteria.

We will further recommend that only one person in each institution have the authority to hear appeals against punishment sentences. Currently, inmates can and do seek reduction of punishment sentences from every senior officer in an institution.

Finally, some effort has to be made to improve the morale of the correctional staff. Our members no longer trust the administration to back them up when the need to defend themselves arises. They feel the administration more readily accepts the word of an inmate than that of a correctional officer during the investigation of a scuffle in the institution. They believe the ministerial investigators are no more than hatchet men ready to chop an officer who has had the misfortune to get involved in an incident which might embarrass the government.

We insist that during any investigative interview conducted by these people, correctional officers be allowed either legal or union representation to provide themselves with some protection.

This has been a long presentation. We could expand it indefinitely by citing incidents to illustrate our points. We will only add that the cumulative effect of all the deficiencies we have pointed out, is to make Ontario correctional institutions bad places in which to work or live. Inmates and the correctional staff of these institutions are constantly uptight because of these conditions and this constant tension breeds the violent incidents which gain so much publicity.

The entire system has to be cleaned up quickly because there is a constant danger that a major riot will occur at almost any institution at almost any time.



APPENDIX "B"

INFORMATION REQUESTED FROM MINISTRY OF CORRECTIONAL  
SERVICES UPON ARRIVAL AT CORRECTIONAL FACILITY

1. What is the numerical breakdown of inmates within the following categories: (The following are to be filled in only where they apply to your facility.)

	MALE	FEMALE	OF THESE HOW MANY DO YOU FEEL COULD BE KEPT IN A MINIMUM SECURITY SETTING?
1) Total number of inmates at institution.			
2) Official capacity of institution.			
3) Number of inmates awaiting trial,			
(a) number of such cases where bail refused to inmate;			
(b) number of such cases where bail fixed, but inmate unable to raise;			
(c) number of such cases where bail has been rescinded.			
4) Number of inmates awaiting sentence after conviction.			
5) Number of inmates awaiting appeal after conviction and/or sentence.			
6) Number of inmates serving sentence but awaiting trial for other charges.			
7) Number of inmates on temporary absence program.			
8) Number of inmates serving intermittent sentences.			
9) Number of inmates held for national parole violation.			
10) Number of inmates on immigration or deportation hold.			

- 11) Number of inmates being held for transit to Community Resource Centres or other transfer.
- 12) Number of inmates being held for parole hearing.
2. How many people have been placed in segregation in the last six months?
  - (a) how many of these were placed in segregation for their own protection,
    - i) voluntarily      Male \_\_\_\_\_ Female \_\_\_\_\_
    - ii) involuntarily      Male \_\_\_\_\_ Female \_\_\_\_\_
  - (b) how many of these were discipline problems?
  - (c) how many inmates are presently in segregation?  
Male \_\_\_\_\_ Female \_\_\_\_\_
3. How are inmates grouped and divided at this institution - by age? - by offence? Do these groups have contact with each other? How much and under what circumstances?
4. If possible, be prepared to give a general and representative schedule of an inmate's activities in the course of one day.
5. What is the average stay of inmates in this institution? (Jails not included)
6. What are the available grievance procedures for staff?
7. What are the available grievance procedures for inmates?
8. What is the staff composition for each shift? What is the ratio of staff to inmates?
9. Do inmates have any input into programme planning?
10. Do staff have any input into programme planning?
11. Is there any community involvement in prison activities, e.g., the use of volunteers?
12. Is there any program for prison labour with pay?
13. What is the approximate number of complaints received in the last month about the following services?
  - (a) mail and visits
  - (b) personal property

- (c) TAP denials
- (d) parole denials
- (e) transfers
- (f) medical treatment
- (g) legal problems
- (h) programme treatment
- (i) relations with staff
- (j) religious or racial matters
- (k) need for protection
- (l) canteen items (We would appreciate a list of the available canteen items.)

14. How many deaths have occurred at this facility in the last two years? What were the causes?

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APPENDIX "C"

SUGGESTED GUIDE FOR QUESTIONS  
TO BE ASKED OF SENIOR OFFICER

1. How would you describe morale at this facility?
  - (a) among the inmates
  - (b) among the correctional officers
  - if the morale is poor, why do you think it is poor?
2. How many of your inmates could be housed in a minimum security setting, such as a Community Resource Centre?
3. How many inmates here do you think could be out in the community without presenting any serious danger to the community?
4. How often is physical force used to restrain an inmate?
  - once a week?
  - once a month?
5. Does overcrowding occur at this institution, and how do you deal with it when it does?
6. Do you generally feel safe while you are at the institution?
7. What is the most serious complaint about this facility that comes to your attention both from the inmates and from your staff?
8. If violence should occur at this facility, what are your procedures for dealing with it and how is your staff trained and equipped to deal with it?
9. How strong and cohesive is the inmate sub-culture at this facility?
10. Do you think this facility is adequately staffed?
11. What recommendations would you make for the improvement of this facility?
12. Do you think security is adequate at this institution?

SUGGESTED GUIDE FOR QUESTIONS  
TO BE ASKED OF INMATES

1. What is your day's programme?
2. Do you feel you get enough privacy at this institution?
3. Does your financial situation upon release cause you any concern?
4. Do you feel you can communicate with the staff here?
5. How do you feel about the treatment programme here?
6. Do you feel you should be in some other correctional facility?
7. Are you satisfied with the:
  - visiting facilities?
  - medical facilities?
  - dining facilities?
  - shower and personal hygiene facilities?
8. In the past, how have your complaints, if you made any, been handled here?
9. Do you generally feel safe at this institution?
10. How would you describe the atmosphere here?
  - relaxed
  - boring
  - tense
11. Are you satisfied with where you are placed here, or do you think you should be in some other part of this facility?
12. Do you think there is a feeling of trust among the inmates?
13. Do you think there is a feeling of trust between inmates and staff?
14. Do you think the counselling facilities here are adequate?
15. What improvements would you recommend at this place?
16. What, if anything, bothers you most about this institution?
17. Before today, did you ever hear about the Office of the Ombudsman and what we do?

SUGGESTED GUIDE FOR QUESTIONS TO BE ASKED  
OF AN INMATE COMMITTEE, IF ONE EXISTS

1. Do you think grievance procedures are adequate at this facility?
2. How would you describe morale among the inmates at this facility?
3. What improvements would you like to see at this facility?
4. Do you feel the staff here is responsive to your requests?
5. Do you feel your group has the support of all the inmates at this facility?
6. What do you feel are the most serious problems for inmates at this institution?
7. How would you describe the atmosphere here?
  - relaxed
  - boring
  - tense

SUGGESTED GUIDE FOR QUESTIONS  
TO BE ASKED OF C.S.A.O. REPRESENTATIVES

1. Do you think this institution is adequately staffed?
2. How would you describe morale among the correctional officers here?
3. What recommendations would you make to improve the working conditions of the officers you represent?
4. What are the most frequent complaints you hear from the officers you represent?
5. How would you describe discipline at this institution?
6. How would you describe communication between your group and management, and your group and the staff?
7. How would you describe the atmosphere here?
  - relaxed
  - boring
  - tense



SUGGESTED GUIDE FOR QUESTIONS  
TO BE ASKED OF PROFESSIONAL STAFF

(Social Worker, Psychologist, or Program Director)

1. What per cent of residents are receiving treatment?
2. How responsive do the residents seem to be to treatment programmes?
3. How would you describe the morale of residents here?
4. How would you describe the morale of the staff?
5. What kinds of complaints come to your attention most frequently?
6. Do you feel counselling facilities are adequate at this facility?
7. Do you generally feel safe working at this facility?
8. What do you feel is the most serious problem at this institution?
9. How would you describe the atmosphere here?
  - relaxed
  - boring
  - tense

APPENDIX "D"

UPDATE & FINALIZATION OF OMBUDSMAN REPORT  
ON CORRECTIONAL INSTITUTIONS & JAILS

INFORMATION REQUESTED FROM SUPERINTENDENT

It would be greatly appreciated if the following information could be made available to Investigators from the Office of the Ombudsman upon their arrival at your correctional facility.

I. General Information

(A) Inmates

- 1) What is the official inmate capacity of your institution? \_\_\_\_\_
- 2) What was the inmate total on October 5, 1976? \_\_\_\_\_
- 3) Is your institution (never, occasionally, always) overcrowded? \_\_\_\_\_
- 4) What are the main reasons for overcrowding?
  - (a) Appeals ( )
  - (b) Location of Institution ( )
  - (c) Remands ( )
  - (d) Delay in Transfers ( )
  - (e) Other ( ) Specify \_\_\_\_\_

Classification of Inmates (on October 5, 1976)

- 5) (a) What was the number of maximum security inmates? \_\_\_\_\_
- (b) What was the number of medium security inmates? \_\_\_\_\_
- (c) What was the number of minimum security inmates (TAP included)? \_\_\_\_\_
- (d) What is the number of inmates serving an intermittent sentence? \_\_\_\_\_

- 6) What percentage of the inmate population would you classify to:
- (a) Community Resource Centres? \_\_\_\_\_
  - (b) Other Minimum Security Institutions and/or Work Camps? \_\_\_\_\_
  - (c) Medium Security Institutions? \_\_\_\_\_
  - (d) Maximum Security Institutions? \_\_\_\_\_
  - (e) Psychiatric and Treatment Facilities? \_\_\_\_\_
  - (f) TAP for Employment or Educational Purposes? \_\_\_\_\_
- 7) On October 5, 1976, what was the number of inmates on employment or educational TAP? \_\_\_\_\_
- 8) How would you describe the inmate morale at your institution?
- Low ( )                      Medium ( )                      High ( )
- 9) What is the number of segregation cells in your facility? \_\_\_\_\_
- 10) How often do you communicate with inmates in segregation? \_\_\_\_\_
- 11) On October 5, 1976 how many inmates were in segregation? \_\_\_\_\_
- 12) How many inmates have been placed in segregation in the last six months? \_\_\_\_\_
- 13) How many of these were disciplinary problems? \_\_\_\_\_
- 14) How many of these were placed in segregation for their own protection?
- (a) Voluntarily \_\_\_\_\_
  - (b) Involuntarily \_\_\_\_\_
- 15) How are inmates grouped at your institution?
- (a) By age ( )
  - (b) By offence ( )
  - (c) By length of sentence ( )
  - (d) By classification (e.g., remand, TAP, etc.) ( )
  - (e) Other ( ) Specify \_\_\_\_\_



- 16) What are the existing grievance procedures for inmates?
- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- 17) What is the approximate number of complaints received by you in the last three (3) months about the following items?
- (a) Assaults \_\_\_\_\_
- (b) Mail \_\_\_\_\_
- (c) Visits \_\_\_\_\_
- (d) Transfers \_\_\_\_\_
- (e) Medical/Dental \_\_\_\_\_
- (f) Food \_\_\_\_\_
- (g) Yard Exercise \_\_\_\_\_
- (h) Recreation and Evening Programs \_\_\_\_\_
- (i) TAP \_\_\_\_\_
- (j) Problems with Staff \_\_\_\_\_
- (k) Canteen Items \_\_\_\_\_
- (l) Need for Protection \_\_\_\_\_
- (m) Legal Problems \_\_\_\_\_
- (n) Parole Problems \_\_\_\_\_
- (o) Radio/Television \_\_\_\_\_
- (p) Other, Please Specify \_\_\_\_\_
- 18) Which two of the above have been the most numerous during the past year? \_\_\_\_\_
- 19) Is there any community involvement in the prison programs at your institution? YES ( ) NO ( )
- 20) How many incidents of minor-major nature have occurred during the past year? Minor \_\_\_\_\_ Major \_\_\_\_\_

- 21) What is the number of inmates placed on indefinite close confinement since September 1, 1976? \_\_\_\_\_
- B) STAFF
- 1) What is the official staff complement:
- (a) Management \_\_\_\_\_
- (b) Correctional Staff \_\_\_\_\_
- 2) What is your present staff complement?
- (a) Management \_\_\_\_\_
- (b) Correctional Staff \_\_\_\_\_
- 3) On October 5, 1976, how many staff vacancies did you have? \_\_\_\_\_
- 4) What is the ratio of staff to inmates?
- (a) Day Shift \_\_\_\_\_
- (b) Afternoon Shift \_\_\_\_\_
- (c) Night Shift \_\_\_\_\_
- 5) What is the average number of casual employees that fill vacancies on a weekly basis? \_\_\_\_\_
- 6) What are the existing grievance procedures for correctional officers?
- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- 7) How many correctional officers have:
- (a) less than two years experience? \_\_\_\_\_
- (b) less than ten years experience? \_\_\_\_\_
- 8) How would you describe your present staff morale?
- Low ( ) Medium ( ) High ( )
- 9) How many hours of overtime did correctional officers in your institution work during the month of September, 1976? \_\_\_\_\_

Section II relates only to Jails and Regional Detention Centres. Section III relates only to Correctional Centres and Adult Training Centres.

II. Jails and Regional Detention Centres

- 1) What is the total number of inmates awaiting trial?  
\_\_\_\_\_
- 2) What is the number of inmates awaiting trial and already serving sentence in a federal or provincial institution? \_\_\_\_\_
- 3) What is the number of inmates awaiting sentence after conviction? \_\_\_\_\_
- 4) What is the number of inmates awaiting appeal after conviction and/or sentence? \_\_\_\_\_
- 5) What is the number of inmates who have been sentenced and are awaiting transfer to,  
(a) Correctional Centres and Adult Training Centres?  
\_\_\_\_\_  
(b) Federal Penitentiaries? \_\_\_\_\_
- 6) What is the average waiting period in months for inmates who have been sentenced and are waiting to be transferred to another Provincial facility? \_\_\_\_\_
- 7) What is the number of inmates on immigration or deportation hold? \_\_\_\_\_
- 8) How many inmates were taken to court from your institution on:

Monday, October 4/76 \_\_\_\_\_

Tuesday, October 5/76 \_\_\_\_\_

Wednesday, October 6/76 \_\_\_\_\_

Thursday, October 7/76 \_\_\_\_\_

Friday, October 8/76 \_\_\_\_\_



III. Correctional and Adult Training Centres

- 1) Is there an Inmate Liaison Committee? YES ( ) NO ( )
- 2) Do inmates have any input into program planning?  
YES ( ) NO ( )
- 3) Do regular staff have any input into program planning?  
YES ( ) NO ( )
- 4) Is there a program at your institution for prison labour with pay? \_\_\_\_\_
- 5) What percentage of inmates are returned to a Jail or a Regional Detention Centre over a one month period? \_\_\_\_\_
- 6) How many inmates have been transferred to a Jail, Regional Detention Centre or other Correctional Centre because of:
  - (a) further charges? \_\_\_\_\_
  - (b) TAP? \_\_\_\_\_
  - (c) disciplinary problems? \_\_\_\_\_
  - (d) Other, Specify: \_\_\_\_\_

APPENDIX "E"

GUIDELINES FOR INVESTIGATORS REGARDING  
CORRECTIONAL REPORT UPDATE

I. Questionnaire

A questionnaire was mailed to the Superintendent of each correctional facility to be visited by our Investigators during the week of October 18, 1976. The purpose of the questionnaire is to provide statistical information in order that the Correctional Report that was begun last year can be updated. Furthermore, it will give each Investigator the basic data upon which a more in-depth discussion of problems can be pursued with the Superintendent of the institution.

Note: This questionnaire should be ready for each Investigator upon arrival at each institution. It is strongly recommended that these questionnaires be read by Investigators as soon as possible after arrival.

II. Who should be interviewed

In order that a cross-section of individuals have the opportunity to provide different perspectives on their particular institution, the following people should be interviewed:

- A) Superintendent;
- B) At least one other senior or middle manager;
- C) The Union Steward and Union President;
- D) One professional staff member, e.g., social worker;
- E) Several inmates - interviewed either individually or as a group;
- F) Correctional Officers - at least two;
- G) Those inmates on whom we presently have files (please bring files); and
- H) Any other inmate or staff member who volunteers information.

Recommendations should be discussed and encouraged from each.

### III. Areas of Concern

Although there is a host of issues which could serve as topics of discussion, the following areas provide a guideline:

#### A) Security:

- 1) Perimeter security - discuss the number of escapes and the most frequent route. Reasons:
  - a) No perimeter fence?
  - b) Need for perimeter patrol?
  - c) Exercise yard wall not high enough?
- 2) Internal security -
  - (a) Peruse the institutional rules and regulations. Are they too lax or too harsh? Are they being applied consistently in relation to the way they have been written?
  - (b) Contraband - i.e., weapons, utensils, etc. Are there frequent internal inspections of cells, corridors, and recreational areas? How often have officers turned up contraband weapons, etc.? Has this occurrence increased or decreased over the past several months?
  - (c) Incidences of damage - are T.V. sets, radios, dishes, cells, etc. being damaged on a frequent or infrequent basis? Has the damage been expensive or inexpensive? Perceived reasons for damage? How often are inmates fighting amongst each other?

#### B) Staffing:

- 1) How is the staff morale? For what reason(s) is the morale high or low? e.g. (a) poor or good management; (b) strong or weak union representation; (c) excellent or poor staff training, etc.
- 2) Is there an excessive number of staff vacancies? For how long? Has the Superintendent requested immediate replacements? To whom has he made the request?



- 3) What is the staff involvement in institutional programs? Do correctional officers become involved in inmate recreational programs? Are there staff social functions in which officers participate (e.g., baseball, bridge, etc.)?
- 4) What is the staff turnover? For what reasons? How does the Superintendent go about replacing vacancies? What staff are included in management meetings? How often are they held? Do union stewards attend these meetings?
- 5) What kind of on-going staff training program exists at the institution for correctional officers? Who conducts training? How often?

C) Overcrowding:

- 1) Is the institution overcrowded? How often? How can this problem be alleviated? Has this been a continual problem? Discuss the possibility of instituting a mini-court within the jail. Would this reduce the problem of having to transport inmates daily to and from court? Is there ample space in the institution to provide court facilities?

D) Inmates:

1) Programs and Deployment

- (a) What percentage of inmates are working within or outside of the institution (TAP excluded). Does the institution make use of inmate labour for repairs, kitchen, laundry, painting, etc.? Are inmates used outside to cut lawn, etc.?
- (b) What members of the staff constitute the Temporary Absence Board (TAP)? How often do they convene? What are the mechanics for applying?
- c) What regular programs does the institution provide inmates during the regular day aside from work (i.e. exercise, Salvation Army,

legal aid, religious, etc.)? What regular evening programs are available to inmates (e.g. A.A., movies, education, etc.)?

2) Inmate Classification

What is the present inmate morale? Reasons? How many inmates could be classified to another institution? What is the present classification system within the institution? How is an inmate classified as maximum or minimum? What difficulties do staff and inmates encounter in reclassifying inmates?

3) Inmate Medical/Dental

How often do the doctor and dentist visit the institution? Are they full-time or part-time? Is there a nurse on staff complement? How cooperative is the medical staff with inmates? Are inmates entitled to a second medical opinion? Does the institution make use of vicinity hospitals on a regular or irregular basis? Reasons? Do the doctors rotate their employment at the institution?

E) Use of Segregation:

Philosophy of the Superintendent in using segregation? What are his reasons for using segregation? Length of inmate stay in segregation? How often are inmates placed in indefinite close confinement? Does the institution over-use segregation? Are there any other problems related to use of segregation?

F) Dangerosity:

Is the institution in danger of riots? What is the overall tension level - high or low? What are the reasons? Is the Superintendent aware of the tension level? What changes does he plan to resolve the problem?

G) Projects:

What changes to the physical layout of the institution is the Superintendent presently engaged in? What further changes have been approved by Main Office financially? What other changes

are projected in the near future? What physical changes would correctional officers and inmates like to see?

H) Specific Complaints:

Questions 17 and 18 of the questionnaire request the number of complaints received by the Superintendent on various items. Please refer to this section and ask for the reasons why these particular complaints have persisted. Chances are that these complaints are unique to that specific institution. For those complaints that are recurring, check the institutional procedures. Where applicable, make suggestions for change.

I) Discussion:

It is paramount at the termination of your visit that you inform the Superintendent of specific criticisms, complaints, recommendations, etc. that you intend to make about his institution. Encourage recommendations from all those people with whom you communicate.

Once your report has been completed on the institutions you visit, the Superintendent of each institution will be contacted again before the final report is forwarded to the institution.



APPENDIX "F"

NUMBER OF VISITS MADE BY OMBUDSMAN INVESTIGATORS  
TO CORRECTIONAL INSTITUTIONS INCLUDED IN THE  
REPORT, INCLUDING REGULAR VISITS MADE  
BETWEEN NOVEMBER, 1975 AND APRIL, 1977

INSTITUTION	NUMBER OF VISITS
Barrie Jail	9
Brampton Jail	9
Cornwall Jail	4
Guelph Jail	7
Hamilton Jail	10
Kenora Jail	4
Kitchener Jail	12
London Jail	9
Milton Jail	16
Peterborough Jail	5
Sault Ste. Marie Jail	4
Sudbury Jail	4
Thunder Bay Jail	5
Toronto Jail	25
Whitby Jail	8
Niagara Regional Detention Centre	11
Ottawa-Carleton Regional Detention Centre	9
Quinte Regional Detention Centre	12
Burtch Correctional Centre	12
Guelph Correctional Centre (Guelph Assessment and Treatment Unit)	26
Maplehurst Correctional Centre	21
Millbrook Correctional Centre	18
Mimico Correctional Centre	11
Rideau Correctional Centre	9
Thunder Bay Correctional Centre	5
Vanier Centre for Women	12
Ontario Correctional Institute	13

(NOTE: Each visit made does not accurately represent the number of days spent at a given institution during a particular visit. For example:  
- one visit to Guelph Correctional Centre, where an Investigator has 20 complaints to investigate, would take the major part of a week to complete.)

APPENDIX "G"

COMMUNITY RESOURCE CENTRES

The following information on Ontario's current C.R.C. program is contained in a June, 1976, Ministry pamphlet entitled "Community Resource Centres."

"Community Resource Centres, usually accommodating from 6 to 15 residents, provide a live-in situation in the community from which selected offenders begin the process of returning to the community by working at gainful employment or attending education upgrading courses.

"They are located in rural as well as urban areas, several are bilingual, two are for women offenders,\* and a number have been established for, and are staffed by, Native persons. Two mobile centres in remote areas of Northern Ontario are for those Native persons who work at timber cutting for the pulp and paper industry.

"Each resident who earns an income pays a maximum of \$35. per week to his Centre for room and board. He is contributing to the community by paying taxes, by supporting his family, and, in some cases, making restitution to the victim of his offence.

"The Ministry's legal responsibility for the residents continues and selection for the program is made with the safety of the public as a prime concern.

CRITERIA FOR PARTICIPATION

"Although no one is excluded from consideration for the program, an assessment committee at each institution will not normally recommend a person who has committed a crime of violence, brutality, or arson, or one who has committed an assaultive sexual offence. Applicants facing further charges are usually required to have them dealt with before being accepted for the program.

"The application may be made solely on the initiative of the inmate, or staff may recommend to him that he consider applying. An inmate makes application in the first instance to the assessment committee at his institution. He must state whether or not he has obtained employment or been accepted in a community educational program, and if not, where he would like to seek work or further education.

---

\* In July, 1977, the Ministry informed us that only one C.R.C. for women exists. Another is planned for Toronto.

"He must give some indication as to the value the CRC program will be to him if he is accepted. If there are any contraindications to his acceptance, and he acknowledges his awareness of them, he may explain his actions or past record and give an indication of the progress he has made.

"Local law-enforcement agencies are consulted for their views on the applicant's suitability for the CRC program.

#### ADVANTAGES OF A COMMUNITY SETTING

"The Ministry has a legal obligation to protect the public from those persons who commit crimes against them, and it has a parallel responsibility to the offender to provide him or her with rehabilitative programs.

"An inmate taking part in a community-based program has the opportunity to establish himself in the community prior to the completion of his sentence.

"It permits employers, educators, and other members of the community to play a part in the rehabilitative process.

"The Centre provides an environment that, for motivated individuals, is more conducive to rehabilitation than an institution setting.

#### THE CRC AS A PLACE TO LIVE

"Residents of a CRC work or attend an academic or vocational training program in the community and return to the Centre each evening. Meals are generally communal, with the residents sharing many of the chores. All Centres attempt to make positive use of peer group pressure with respect to behaviour in the house as well as the effective use of leisure time.

"Group discussions and AA meetings are features of most programs, and these are supplemented by individual counselling according to each resident's needs. Staff at the C.R.C.'s gradually build up a list of employers and educational facilities that are willing to cooperate with the Centre. Many residents are lacking in such basic life skills as assessing one's own employment potential, seeking employment, handling a job interview, relating to fellow employees, and maintaining good work habits. At least one staff member at each CRC has the ability to give counselling in these and other life skill areas.

"Residents may apply for a weekend leave which must be approved by both the CRC staff and the Superintendent of the parent institution."



APPENDIX "H"

VOLUNTEER PROGRAMS

The following is a list of organizations which are currently active in the Ministry's adult institutions. In addition, a list has been compiled of the other side of the volunteer coin, i.e., inmates who volunteer their services back to the community while incarcerated.

ORGANIZATIONS GOING INTO INSTITUTIONS

(As of May, 1977)

SELF-HELP ORGANIZATIONS

<u>Alcoholics Anonymous:</u>	most institutions
<u>Seventh Step:</u>	Maplehurst, Mimico C.C., Burtch C.C., Rideau C.C., House of Concord, Guelph C.C.
<u>Gamblers Anonymous:</u>	Maplehurst
<u>Fortune Society:</u>	(a fellowship of ex-inmates assisting those released from prison, principally regarding employment)  Toronto Jail, Maplehurst, Vanier Centre, Millbrook C.C., Ontario Correctional Institute, Brampton A.T.C., Guelph C.C., Burtch C.C.

RELIGIOUS ORGANIZATIONS

(These are only some of the larger programs)

<u>Salvation Army:</u>	most institutions
<u>Quaker Jail &amp; Justice Committee:</u>	Toronto Jail, Milton Jail
<u>Catholic Youth Corps:</u>	(discussion and activity program)  Toronto Jail, Vanier Centre, Maplehurst
<u>Foundation Faith:</u>	Toronto Jail
<u>Sivananda Yoga Centre:</u>	Toronto Jail
<u>St. Vincent de Paul Society:</u>	Toronto Jail
<u>The Bridge:</u>	Vanier, Ontario Correctional Institute, Brampton A.T.C.
<u>The Gideons:</u>	Mimico C.C.
<u>Ray of Hope:</u>	Milton Jail

COLLEGES, UNIVERSITIES, STUDENT ORGANIZATIONS

Sheridan College: (life skills) Milton Jail, Maplehurst  
Sir Sanford Fleming: Lindsay Jail, Peterborough Jail  
Humber College: (life skills, advising) Mimico C.C.  
Mohawk College: (life skills) Burtch C.C.  
Ryerson Polytechnical Institute: Toronto Jail  
(women's section)  
HELP - Guelph University: Guelph C.C., Guelph Jail  
Toronto Community Law School: Toronto Jail, Mimico C.C.  
Community Legal Assistance Programme: Vanier Centre,  
Brampton A.T.C.  
Algonquin College: Ottawa-Carleton R.D.C.  
St. Lawrence College: Cornwall Jail  
St. Clair College: Windsor Jail, Chatham Jail  
Conestoga College: Guelph C.C.  
Cambrian College: Sudbury Jail  
Sault College: Sault Ste. Marie Jail  
Northern College: Monteith C.C.  
Confederation College: Kenora Jail, Thunder Bay C.C.

SOCIAL AGENCIES

M-2 (Man-to-Man):

(Christian volunteers enter one-to-one relationship  
with inmates before and after release) Mimico C.C.,  
Maplehurst, Millbrook C.C., Guelph C.C., House of  
Concord, Toronto Jail

John Howard Society:

London R.D.C., Toronto Jail, Mimico C.C., Sudbury  
Jail, Whitby Jail, Ottawa-Carleton R.D.C., Thunder  
Bay C.C., Niagara R.D.C., Kitchener Jail, Sarnia  
Jail

Elizabeth Fry Society:

Ottawa-Carleton R.D.C., Hamilton Jail, Sudbury Jail,  
Toronto Jail, Vanier Centre

Hamilton and District Literacy Council:

(reading program) Hamilton Jail, Guelph C.C.,  
Burtch C.C.

Hassle-Free Clinic:

(sex education and information) Toronto Jail

Operation Springboard:

(bus service for wives and families to penitentiary in Kingston, counselling at institutions)  
Toronto Jail

Browndale Re-entry Programme:

Toronto Jail

Contact:

Barrie Jail, Camp Hillsdale

Alienated Youth of Canada:

(a Hamilton-based organization visiting on a one-to-one basis in institutions with follow-up services) Guelph C.C., Burtch C.C., Ontario Correctional Institute, Brampton A.T.C., Maplehurst, Vanier Centre, Millbrook, Hamilton Jail, Milton Jail, Rideau C.C.

FRATERNAL AND SERVICE ORGANIZATIONS, CLUBS

Rotary Club: (life skills re employment) Toronto Jail

Loyal Order of the Moose: Mimico C.C.

Jaycees: Guelph C.C.

GOVERNMENT AGENCIES

Canada Manpower: many institutions

Addiction Research Foundation: many institutions

Public Libraries: Several libraries serve institutions in their community with books and personnel

Etobicoke Community Health Services: Mimico C.C.

Family and Friends: Toronto Jail (operated by the Ministry of Correctional Services)

THE ARTS

Dancemakers: tours several institutions

Zero, Zero: (a musical group, formerly 3/4 Time)  
tours several institutions

Theatre Passe Muraille: toured Glendale, Stratford, Ontario Correctional Institute

Prison Arts Foundation: (consults and helps set up programs, particularly in the Brantford area)

Canadian National Theatre Company: Burtch C.C.



### NATIVE ORGANIZATIONS

Native Court Counselling Service: Burtch C.C., Toronto Jail

Native Peoples Alcohol and Drug Centre: (Ohsweken, Six Nations Reserve) Burtch C.C., Brantford Jail, Simcoe Jail

Hamilton Indian Centre: Simcoe Jail

### RECREATION

Toronto Yoga Centre: Toronto Jail

(Many athletic teams and groups visit most institutions)

### INSTITUTIONS SENDING OUT INMATE VOLUNTEERS

- |                 |   |
|-----------------|---|
| Rideau C.C.     | - Rideau Regional Hospital School<br>- Brockville Psychiatric Hospital<br>- Construction on Boy Scout Camp  |
| Burtch C.C.     | - Brantford General Hospital<br>- Association for Children with Learning Disabilities   |
| Mimico C.C.     | - Lakeshore Psychiatric Hospital<br>- Annual spring paint-up of destroyer, Haida  |
| Brampton A.T.C. | - Peel Workshop, mentally retarded adults<br>- Brampton Parks and Recreation<br>- Children with Learning Disabilities<br>- Local Public Schools (sports)<br>- Community Football Association (referees)<br>- Olympic Games for the Physically Handicapped<br>- Brampton Lacrosse Association<br>- Peel Manor (home for elderly people)<br>- Y.M.C.A. (officials for basketball) |
| Vanier Centre   | In co-operation with the Volunteer Centre for the Region of Peel, Vanier has provided volunteers for:<br>- Tiny Tim Developmental School<br>- Peel Lung Association<br>- Peel Association for the Handicapped<br>- Peel Manor<br>- Y.W.C.A.<br>- Red Cross Blood Donor Clinic<br>- Brampton Parks and Recreation<br>- Elizabeth Fry Society                                     |

- Thunder Bay C.C.      - St. Joseph's General Hospital, disabled swimmers
- Kairos (Community Resources Centre), Pee Wee Hockey officiating
- Whitby Jail            - Whitby Psychiatric Hospital

APPENDIX "I"

R. vs. HARGIE DECISION

Judgement of His Honour Judge Waisberg of the County Court, January 20, 1975. (20 C.C.C. (2d) 240.)

"The accused was charged that on February 17, 1974, at the Municipality of Metropolitan Toronto in the Judicial District of York he killed one Stanley M. Donald by an assault causing bodily harm and thereby committed the crime of manslaughter contrary to the Criminal Code.

"The case came before me and jury, and the accused pleaded not guilty to that charge. After considerable evidence had been led, including medical evidence, it appeared that the death of Mr. Donald was due to an unfortunate accident rather than to the bodily harm caused by the assault.

"The accused then entered a plea of guilty to the lesser and included offence of assault causing bodily harm. Crown counsel accepted the plea. I then instructed the jury to return a directed verdict of not guilty of manslaughter but guilty of the lesser offence of assault causing bodily harm.

"The jury readily agreed that the accused was not guilty of manslaughter. They did, however, show some reluctance in their concurrence as to his guilt of the lesser offence. I mention this now because I consider it to be of some importance in considering the circumstances of the offence itself for which I must now impose an appropriate sentence.

"It was apparent to me that the jury was of the opinion that the accused had not behaved in a very bad manner. In my opinion, Mr. Hargie is guilty only of assault causing bodily harm. When threatened by his uncle, Mr. Donald, he over-reacted and punched him on the nose and then kicked him. That is blameworthy conduct but it should be borne in mind that both men had been drinking. If Mr. Donald had not died the matter would have been disposed of in all likelihood in the Provincial Court in the same manner as many other such incidents. The death of Mr. Donald is tragic and unfortunate but on the evidence is not attributable to the conduct of Mr. Hargie. I am satisfied that he is more distressed by this unfortunate accident than anyone else.



"As I have said, it is now my duty to impose an appropriate sentence. It can be readily appreciated that this is a very difficult assignment, and I have approached it with the utmost care. I must acknowledge the assistance of counsel and particularly the pre-sentence report.

"The general principles of sentencing are well known. They have been set out in a number of cases at different times. Mr. Justice McLennan in *R. v. Wilmott*, [1967] 1 C.C.C. 171 at p. 177, 58 D.L.R. (2d) 33, [1966] 2 O.R. 654 at p. 659 said:

'The fundamental purpose of any sentence of whatever kind is the protection of society. That that is the real purpose of a sentence cannot be over-emphasized.'

"He then continued at p. 178 C.C.C., p. 660 O.R.:

'For the purpose of protecting society, prevention, deterrence and reformation should all be considered by a Court in imposing sentence of judgment.'

"From time to time the federal government, which is responsible for our criminal law, has seen fit to appoint commissions to study and report on corrections. These reports are not binding on the Courts as precedents. They do, however, enunciate general principles. In my opinion, if there is to be any consistency in sentencing, certain basic principles must be followed. Thus, the Archambault Report in 1938 stated that the purpose of the criminal law was to prevent crime and reform the offender. The Ouimet Report of 1956 stated that the primary object of the criminal law was the correction of the offender. More recently, in 1969 the report of the Canadian Committee on Corrections under the chairmanship of Mr. Justice Ouimet stated at p. 185:

'The overall views of the Committee may be summed up as follows: segregate the dangerous, deter and restrain the rationally motivated professional criminal, deal as constructively as possible with every offender as the circumstances of the case permit, release the harmless, imprison the casual offender not committed to a criminal career only where no other disposition is appropriate. In

every disposition the possibility of rehabilitation should be taken into account.'

"The evidence, the pre-sentence report and everything that has been said by counsel makes it abundantly clear that Mr. Hargie is not a dangerous person and that he is not a professional criminal; that he is a harmless person guilty of a casual offence and that some other constructive disposition is available.

"In the present case a sentence that would normally be a deterrent to others for the offence of assault causing bodily harm is the most that can be required. Mr. Hargie needs no deterrence for himself, nor does he need any reformation. It is indicated from the evidence and from the pre-sentence report that this affair has already dealt a serious psychological blow to Mr. Hargie. The pre-sentence report indicates that he might gain from some professional guidance.

"We must not lose sight of the fact that a Court sentences offenders and not offences. In this case the offender is described in the pre-sentence report as a person about whom it would be manifestly impossible to write a negative pre-sentence report. He has no previous criminal record. He is 27 years old, a good husband and father of two young children. He has a good work record. All of these positive factors beg for consideration on his behalf. On the other hand, I have reason to fear that any term in prison, even a short one, could have a dangerous effect upon him. He has already suffered a severe shock from this incident. Accordingly, I think this is a proper case in which to suspend sentence, and I therefore suspend sentence for two years and place Mr. Hargie on probation. He is to consult regularly with the probation officer, and if during that time he appears to develop any psychological problems, he should again be referred to Dr. Lionel Solursh who is already familiar with this case.

Judgement accordingly."



f the  
Minister

Ministry of  
Correctional  
Services

416/965-4341

2001 Eglinton Avenue East  
Scarborough Ontario  
M1L 4P1

December 1, 1977

Mr. Arthur Maloney, Q.C.,  
Ombudsman,  
65 Queen Street West,  
Toronto, Ontario.

RECEIVED

DEC 01 1977

OFFICE OF THE  
OMBUDSMAN - ONTARIO

Dear Mr. Maloney:

Re: Correctional Institutions Report,  
November, 1977

We have received and reviewed your Correctional Institutions report.

Further to our review and comments upon earlier drafts, the current document was submitted to Ministry senior staff for any additional comment which might be useful in rendering the final Report more current. I am pleased to submit the following points for your consideration.

#### GENERAL OBSERVATIONS

##### Staff Training & Development

The final draft does not reflect the substantial progress made in this area, but quotes liberally from a Staff Training & Development report dated September, 1977, a report which was not endorsed in its entirety by senior officials.

##### Ombudsman's Role

Page 10026 refers to "continuing daily monitoring of the correctional system" by the Ombudsman, and this definition of the Ombudsman's role is not believed by us to be reflected in the Ombudsman's Act.



(2)

G. A. T. U.

Page 10388 refers to the need to involve independent experts with experience to assess treatment modes. Our external consultants are both independent and expert.

With reference to Recommendation No. 4, Page 10389, the initial period at G. A. T. U. is spent in the Reception & Assessment Unit with the professional staff; and as to Recommendation No. 5, inmates assessed but not admitted are in fact reclassified and transferred without undue delay.

Sentences Served In Jails

On Page 20606 it is stated that every inmate serving a sentence of 90 days or less must serve the incarcerated period in a jail or detention centre. This is incorrect. Such inmates may serve their sentences in a correctional centre, space permitting. This misconception is continued as a basis for the recommendations made on Page 20607.

On Page 20722 "placed to see" appears when it seems "pleased to see" was intended.

INSTITUTIONAL ISSUES

Peterborough Jail (Pages 10215 - 10228)

It is suggested that reference to closure of the Cobourg and Lindsay Jails, since the topic has not been discussed with staff, might create a serious morale problem, quite unnecessarily at this time, since issues of distances to be travelled by police to a new Centre instead of Cobourg and Lindsay would have to be considered along with other matters, and the Ministry is not prepared to support these closures at this stage.

(3)

Ottawa-Carleton Detention Centre (Supplementary Report attached to November 14, 1977, letter from Ombudsman's Office to Deputy Minister).

The inferences drawn regarding the administration of [the former Superintendent] follow the course of a quasi-legal document calculated to "prove" guilt or innocence rather than attempting to understand the very complex factors which existed at Ottawa-Carleton Detention Centre at that time, and which while referred to, are not brought into the analysis of [the former Superintendent's] difficulties in administering the institution.

A total of four superintendents were relieved of duties due to stress in a period of about four years. While additional staff and improved security, etc., were provided, this took place after the problems which occurred. There has been no reference to the fact that inmate problems and disturbances had existed on a regular basis prior to opening the new detention centre and during the tenure of previous superintendents.

The appointment of a full-time staff training officer took place while [the former Superintendent] was superintendent, not, as implied, during his successor's term.

It is difficult to reconcile the conclusions drawn that [the former Superintendent] must bear the primary responsibility when the Report indicates that in October, 1976, morale had improved considerably. It appears to be forgotten [the former Superintendent] did not leave his post until late December, 1976.

This could well create a morale problem among superintendents in that they will be reluctant to take over a difficult situation lest they be publicly criticized and have their career jeopardized.

( 4 )

Cornwall Jail (Reference: Attachment to November 14, 1977, letter from Ombudsman's Office to Deputy Minister).

The Ombudsman seems to have concluded that [ the former Superintendent] must accept primary responsibility for this situation, despite lengthy discussion between Mr. Patterson of the Ombudsman's Office and Mr. S. Shoom of the Ministry. No clear reference is made to "problem employees" who were precipitating difficulties at that Jail.

[This section deleted at the request of the Ministry of Correctional Services.]

Millbrook C. C. (Page 20418)

Reference is made to a Millbrook C. C. inmate's complaint that he was not being given medical attention "for a shotgun blast in the back".

This phrase may leave the reader puzzled as to the origin of the inmate's wound and whether it occurred at Millbrook C. C.

Guelph C. C. (Page 10374)

Limited use only could be made of an exclusive Community Resource Centre due mainly to the fact that suitable inmates are employed in the Abattoir program (approximately 50 inmates).

Burtch C. C. (Page 20487)

Renovations to the cottage basements and the paving of roadways are well underway.



(5)

## STAFFING

As a result of government staffing policy changes and further Ministry review of staffing patterns, the Ministry staff has increased by 342 since the initial study. The deployment of these staff is different from that of the original proposal as a result of program changes, adoption of different staffing patterns, etc. The institutional correctional staff changes are as follows:

### (a) Toronto Jail

With the recently announced closing of the old section of this Jail as of December 31, 1977, the total complement will be reduced to 209, and of that total 150 will be retained as correctional officers, following the Ministry's post requirements formula.

(The professional staffing will be reduced accordingly. However, complement and staffing numbers will be adequate and will not require excessive overtime or use of unclassified staff.)

### (b) Niagara Detention Centre

At the time of the Ombudsman's Report, complement for correctional officers was 37. The Ombudsman suggested 50. Under the manpower control system within government, the 37 will be increased to 44 and the difference between 50 and 44 will be made up through overtime and unclassified staff.

### (c) Quinte Detention Centre

The Ombudsman's report suggests an increase from 37 to 54. Complement for correctional officers will be increased from 37 to 42, and the balance of coverage is to be made up by overtime and casuals.

### (d) Whitby Jail

The Report listed complement here at 20 correctional officers, recommending an increase of 3. However, the Ministry's original estimate of staff requirements was incorrectly calculated and instead, the complement of the Jail will be increased to 32, i. e. 9 officers beyond the initial requirements of the Ombudsman's Report.

(6)

(e) Hamilton Jail

The Ombudsman has not commented on the actual numbers of staff at this Jail. With the introduction of double-bunking, the complement has been adjusted upward.

(f) Elgin-Middlesex Detention Centre

Staffing here follows the Ministry formula of posts and relief requirements.

(g) Thunder Bay Jail

At the time of the Report, officer complement was 24 and an increase of 8 was recommended. Under the new manpower control system, it has been possible to increase this figure to 35, or 4 in excess of the original recommendation of the Ombudsman's Report.

(h) Peterborough Jail

The Ombudsman's Report proposed an increase of one correctional staff to 16. It has been decided, following study, to keep the complement figure at 15 and make up any additional needs through unclassified staff use and overtime.

(i) Kenora Jail

An increase of 3 to 39 correctional staff was recommended. Further Ministry study of complement requirements led to the decision to divert funds to a cook and a clerical position, the needs of correctional supervision to be met by the utilization of overtime and casual staffing.

(j) Barrie Jail

The first writing of the Ombudsman's Report recommended a correctional staff increase from 16 to a total of 26. This has been agreed to.

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(7)

(k) Guelph Jail

An increase of 3 to a total of 15 correctional officers was recommended. The Ministry study resulted in an increase of 1 correctional officer, the remaining requirements to be met through overtime and casual staff.

(l) Kitchener Jail

The Report recommended an increase of Correctional Officers from 20 to 26 in total. The Ministry study increased the complement by 4 with overtime and casual staff to be applied.

(m) Milton Jail

The recommended increase here in correctional complement was from 15 to 21 officers. The Ministry review increased correctional staff to 17.

(n) Sault Ste. Marie Jail

The Ombudsman recommended a correctional officer increase from 21 to 27. The Ministry increase will be to a 24 total, with use of unclassified staff and overtime to be applied as required.

(o) Sudbury Jail

The increase recommended was from a total complement of 30 to 36 officers. The Ministry's review indicated an increase of 5 officers.

(p) Guelph C. C.

The Report recommended a complement increase of 42. This was supported by the Ministry's review and 42 staff will be applied to both the main institution and the Guelph Assessment and Treatment Unit, with some staff being at the C. O. 3 level.

(q) Maplehurst ATC & CC

At the time of the Ombudsman's study, it was recommended that correctional staff complement be increased by 35. The Ministry's review of posts and positions indicates the need for 20 officers and the use of casuals and overtime.



(8)

(r) Millbrook C. C.

The original report cited the need for an increase of 1 staff member. The Ministry's study indicated the need for an additional 8 correctional officers to be added to existing complement.

(s) Rideau C. C.

The Ombudsman's Report recommendation of an increase of 4 correctional officers was confirmed by Ministry review.

(t) Thunder Bay C. C. & A. T. C.

At the time of the Ombudsman's earlier review, the Ministry indicated a need for 15 additional officers. Further study, however, now suggests an increase of 3 officers, with use to be made of overtime and casual staff where needed.

(u) Burtch C. C.

While the Ombudsman's Report indicated a need for an additional 7 correctional staff, a Ministry review resulted in the transfer of sufficient funds for one correctional officer, with casual staff and overtime to be used when needed.

(v) Mimico C. C.

The proposal for an increase of 11 general duty officers was reviewed and endorsed.

(w) Ontario Correctional Institute

At the time of the initial review, it was indicated that the Ontario Correctional Institute required an additional 18 general duty officers. However, a subsequent review led to questioning of this figure. The Superintendent has elected not to transfer all funds for casual staff and overtime costs to complement positions. Rather, two correctional officer 2 positions will be added and casual staff and overtime usage continued.

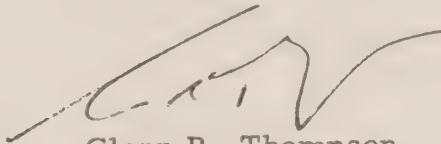
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(x) Vanier Centre for Women

At the time of the Ombudsman's Report, it was indicated that the Vanier Centre complement should be increased by 15. A further review indicated that this institution did not actually require 15 general duty officers, rather, this was an ideal operational figure. The complement will thus be adjusted upward by 1 correctional officer.

I trust these comments will be of some assistance to you in preparing the final copy of the Report.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'G. R. Thompson', with a long horizontal stroke extending to the left.

Glenn R. Thompson,  
Deputy Minister.

GRT/lh







